England [Treaties &c.] 1484.g.4

THE TWO TREATIES

BETWEEN

GREAT BRITAIN AND FRANCE,

THE FORMER RATIFIED IN THE REIGN OF QUEEN ANNE, 1713,

THE LATTER SIGNED BY MR. EDEN, IN THE YEAR 1786,

COMPARED ARTICLE BY ARTICLE IN OPPOSITE COLUMNS.

TOGETHER WITH THE

SUBSTANCE OF FORTY-SIX PETITIONS

PRESENTED AGAINST THE FORMER TREATY,

BY THE

MANUFACTURING INTERESTS OF GREAT BRITAIN,

FAITHFULLY TRANSCRIBED FROM THE JOURNALS OF THE HOUSE OF COMMONS.

AND LIKEWISE

A BRIEF NARRATIVE

OF THE

RECEPTION OF THE SAME TREATY BY THE PUBLIC,

AND THE

FINAL DECISION UPON IT IN PARLIAMENT.

LONDON:

PRINTED FOR J. DEBRETT, OPPOSITE BURLINGTON-HOUSE, PICCADILLY.

[PRICE ONE SHILLING.]

M,DCC,LXXXVI.

ARGUMENT.

THE FOLLOWING *publication is comprized of a faithful tranſcription of ſuch documents, as are at once indiſputable for their authenticity, and eſſentially neceſſary as a preliminary baſis for a clear and founded underſtanding of the ſubject on which they treat.---It conſiſts, in the firſt place, of a compared Review of the Treaty of Utrecht, between this Court and France, in the year* 1713, *and of the Treaty negotiated between the ſame contracting parties by Mr.* EDEN, *in the year* 1786.---*Then follows an accurate Liſt of the Petitions which iſſued from all parts of the country, and from all deſcriptions of Manufacturers, on the apprehended effect and tendency of the former Treaty, with the ſubſtance of the ſeveral complaints, as ſtated in their own words, copied from the Journals of the Houſe of Commons of that period, to which every reader has the fulleſt opportunity of referring, to obviate any doubts, or elucidate any difficulties that may ariſe in his mind.---It concludes with a brief narrative of the reception of the Treaty of Utrecht, as well by the Houſe of Commons of thoſe days, as by the public at large; leaving it as a voluntary deduction of the candour and good ſenſe of our preſent Merchants and Manufacturers, to determine this plain queſtion,* how far the ſame cauſe ſhould operate in producing the ſame effect; *or, in other words, why the* VERY TREATY, *which in* 1713 *was, with one voice, ſcouted through the kingdom, ſhould, in* 1786, *be quietly acquieſced in, as a matter of national honour and advantage?---This publication is ſimply meant to invite a ſolution of this point.---Thoſe who think that there are ſome late and modern reaſons for ceaſing to have our old, and almoſt conſtitutional dread of too intimate and* BROTHERLY *a connection with our ancient rival, and conſtant competiton, particularly when raiſed upon a ground once ſolemnly and univerſally reprobated, would do well to ſtate the foundation of ſuch their doctrine.---Thoſe who put a different conſtruction upon the recent occurrences that have happened between the two countries, will not perhaps refuſe ſome reliance to former opinions, and the well-conſidered deciſions of their anceſtors.*

3. SEP 56

FRENCH TREATY.

The following is a correct Tranſcript of the two Commercial Treaties entered into at different Periods between Great Britain and France, the one in the Year 1713, known by the Name of the TREATY of UTRECHT, the other, that recently negotiated and executed under the Direction of Mr. EDEN.

The former Treaty, of which Mr. Eden's is always in Subſtance, and generally even in Terms, a moſt ſervile Copy, was introduced by the Tory Adminiſtration that threatened the diſſolution of the Proteſtant Succeſſion in the Reign of Queen Anne, and by the Spirit, Virtue, and Activity of the PEOPLE of GREAT BRITAIN, was conſigned to the Fate it merited, and thrown out of the Houſe of Commons with every mark of Indignity, Contempt, and Deteſtation.

TREATY of UTRECHT, 1713.

WHEREAS the moſt Serene and moſt Potent Princeſs and Lady Anne, by the grace of God, Queen of Great Britain, France and Ireland, and the moſt Serene and moſt Potent Prince and Lord, Lewis XIV, by the grace of God, the moſt Chriſtian King, ſince they applied their minds, by the diſpoſal of the Almighty, the ſtudy of peace, have both been moved with an earneſt deſire to increaſe the advantages their ſubjects, which are to ariſe therefrom, by a *reciprocal liberty of Navigation and Commerce*, hich ought to be as well the principal fruit, as eſtabliſhment of peace: and to that end they e moſt graciouſly given inſtructions to their Ambaſſadors Extraordinary and Plenipotentia- going to the Congreſs at Utrecht, that they ſhould employ their utmoſt diligence and care h to re-eſtabliſh peace, and to renew the former treaties of commerce between the two na- s, and to adapt them to the preſent ſtate of affairs; that is to ſay, her Sacred Royal Majeſty Great Britain to the Right Reverend John, by Divine Permiſſion, Biſhop of Briſtol, Keeper the Privy-Seal of England, as alſo to the moſt Noble, Illuſtrious, and Excellent Lord omas Earl of Strafford. And his Sacred Royal moſt Chriſtian Majeſty, to the moſt Noble, iſtrious and Excellent Lords, Nicolas Marquis of Huxelles, Marſhal of France, Knight of King's Orders, and Lieutenant General of the Dukedom of Burgundy; and Nicolas Meſ- er, Knight of the King's Order of St. Michael. Whereupon the ſaid Ambaſſadors, to the that the deſign of their Royal Majeſties, which is ſo pious and wholeſome, might attain deſired effect, having had ſeveral conferences upon that affair, and having adjuſted the ncipal matters on both ſides, as far as they could in ſo ſhort a time, after having communi- ed to each other, and duly exchanged the full powers wherewith they were provided for s purpoſe, copies whereof are inſerted word for word at the end of this inſtrument, have reed upon Articles of Navigation and Commerce, in manner and form as follows.

ARTICLE I.

t is agreed and concluded between the moſt Serene and moſt Potent Queen of Great Britain, and the moſt Serene and moſt Potent the moſt Chriſtian King, that there ſhall be a reci- rocal and entirely perfect liberty of Navigation and Commerce between the ſubjects on each rt thro' all and every the kingdoms, ſtates, dominions and provinces of their Royal Majeſties Europe, concerning all and ſingular kinds of goods, in thoſe places, and on thoſe conditions, d in ſuch manner and form as is ſettled and adjuſted in the following articles.

ARTICLE II.

But that the commerce and friendſhip between the ſubjects of the aboveſaid parties may be reafter ſecure, and free from all trouble and moleſtation, it is agreed and concluded, that if any time any ill underſtanding and breach of friendſhip or rupture ſhould happen between Crowns of their Royal Majeſties, (which God forbid) in ſuch caſe the term of ſix months ll be allowed, after the ſaid rupture, to the ſubjects, and inhabitants on each part reſiding in dominions of the other, in which they themſelves may retire, together with their families, ods, merchandizes, and effects, and carry them whitherſoever they ſhall pleaſe; as like- wiſe

TREATY by Mr. EDEN, 1786.

HIS Britannick Majeſty, and his moſt Chriſtian Majeſty, being equally animated by the deſire not only of conſolidating the good harmony which actually ſubſiſts between them, but alſo of extending the happy effects thereof to their reſpective ſubjects, have thought that the moſt efficacious means for attaining thoſe objects, conformably to the 18th Article of the Treaty of Peace, ſigned the 6th of September, 1783, would be to adopt *a ſyſtem of Commerce on the baſis of reciprocity* and mutual convenience, which, by *diſcontinuing the prohibitions* and prohibitory duties *which have exiſted for almoſt a century between the two nations*, might procure the moſt ſolid advantages, on both ſides, to the national productions and induſtry, and put an end to contraband trade, no leſs injurious to the public revenue, than to that lawful commerce which is alone entitled to protection. For this end, their ſaid Majeſties have named for their Commiſſaries and Plenipotentiaries, to wit, the King of Great Britain, William Eden, Eſq. Privy Counſellor in Great Britain and Ireland, Member of the Britiſh Parliament, and his Envoy Extraordinary and Miniſter Plenipotentiary to his moſt Chriſtian Majeſty; and the moſt Chriſtian King, the Sieur Joſeph Mathias Gerard de Rayneval, Knight, Counſellor of State, Knight of the Royal Order of Charles III. who, after having exchanged their reſpective full powers, have agreed upon the following articles.

ARTICLE I.

IT is agreed and concluded between the moſt Serene and moſt Potent King of Great Britain, and the moſt Serene and moſt Potent the moſt Chriſtirn King, that there ſhall be a reciprocal and entirely perfect liberty of Navigation and Commerce between the ſubjects of each party, in all and every the kingdoms, ſtates, provinces, and territories ſubject to their Majeſties in Europe, for all and ſingular kinds of goods, in thoſe places, upon the conditions, and in ſuch manner and form as is ſettled and adjuſted in the following articles.

ARTICLE II.

For the future ſecurity of commerce and friendſhip between the ſubjects of their ſaid Majeſties, and to the end that this good correſpondence may be preſerved from all interruption and diſturbance, it is concluded and agreed, that if, at any time, there ſhould ariſe any miſunderſtanding, breach of friendſhip or rupture between the Crowns of their Majeſties, which God forbid, (which rupture ſhall not be deemed to exiſt until the recalling or ſending home of the reſpective Ambaſſadors and Miniſters) the ſubjects of each of the two parties reſiding in the dominions of the other, ſhall have the privilege of remaining and continuing their trade there-

TREATY of UTRECHT, 1713.

wise at the same time the selling and disposing of their goods, both moveable and immoveable, shall be allowed them freely and without any disturbance; and in the mean time their goods, effects, wares, and merchandizes, and particularly their persons, shall not be detained or troubled by arrest or seizure: but rather in the mean while the subjects on each side shall have and enjoy good and speedy justices so that during the said space of six months, they may be able to recover their goods and effects entrusted as well to the publick as to private persons.

ARTICLE III.

It is likewise agreed and concluded, that the subjects and inhabitants of the kingdoms, provinces, and dominions of each of their Royal Majesties, shall exercise no acts of hostility and violence against each other, neither by sea, nor by land, nor in rivers, streams, ports, or havens, under any colour or pretence whatsoever, so that the subjects of either party shall receive no patent, commission, or instruction, for arming and acting at sea as privateers, nor letters of reprisal as they are called, from any princes or states which are enemies to one side or the other; nor by virtue, or under colour of such patents, commissions, or reprisals, shall they disturb, infest, or any way prejudice or damage the aforesaid subjects and inhabitants of the Queen of Great Britain, or of the most Christian King; neither shall they arm ships in such manner as is abovesaid, or go out to sea therewith. To which end, as often as it is required by either side, strict and express prohibitions shall be renewed and published in all the regions, dominions, and territories of each party wheresoever. That no one shall in any wise use such commissions or letters of reprisal, under the severest punishment that can be inflicted on the transgressors, besides restitution and full satisfaction to be given to those to whom they have done any damage; neither shall any letters of reprisal be hereafter granted on either side by the said confederates, to the detriment or disadvantage of the subjects of the other, except in such case only as justice is denied or delayed; to which denial or delay credit shall not be given, unless the petition of the person who desires the said letters of reprisal be communicated to the Minister residing there on the part of the Prince, against whose subjects they are to be granted, that within the space of four months, or sooner, if it be possible, he may evince the contrary, or procure the performance of what is due to justice.

ARTICLE IV.

The subjects and inhabitants of each of the aforesaid confederates shall have liberty freely and securely, without licence or passport, general or special, by land or by sea, or any other way, to go into the kingdoms, countries, provinces, lands, islands, cities, villages, towns, walled or unwalled, fortified or unfortified, ports, dominions or territories whatsoever of the other confederates in Europe, there to enter, and to return from thence, to abide there, or to pass through the same; and in the mean time to buy and purchase as they please, all things necessary for their subsistence and use; and they shall be treated with all mutual kindness and favour. Provided however that in all these matters they behave and comport themselves conformably to the laws and statutes, and live and converse with each other friendly and peaceably, and keep up reciprocal concord by all manner of good understandings.

ARTICLE V.

The subjects of each of their Royal Majesties may have leave and licence to come with their ships, as also with the merchandizes and goods on board the same (the trade and importation whereof are not prohibited by the laws of either kingdom) to the lands, countries, cities, ports, places, and rivers of either side in Europe, to enter into the same, to resort thereto, to remain and reside there, without any limitation of time; also to hire houses, or to lodge with other people, and to buy all lawful kinds of merchandizes where they think fit from the first workman or seller, or in any other manner, whether in the publick market for the sale of things, in mart-towns, fairs, or wheresoever those goods are manufactured or sold. They may likewise lay up and keep in their magazines and warehouses, and from thence expose to sale, merchandizes brought from other parts; neither shall they be in any wise obliged, unless willingly and of their own accord, to bring their said merchandizes to the marts and fairs, ON THIS CONDITION HOWEVER, THAT THEY SHALL NOT SELL THE SAME BY RETAIL IN SHOPS, OR ANY WHERE ELSE. But they are not to be loaded with any impositions or taxes on account of the said freedom of trade, or for any other cause whatsoever, except what are to be paid for their ships and goods according to the laws and customs received in each kingdom. And moreover, they shall have free leave, without molestation, to remove themselves; also, if they shall happen to be married, their wives, children and servants, together with their merchandizes, wares, goods and effects, either bought or imported, whensoever and whithersoever they shall think fit, out of the bounds of each kingdom, by land and by sea, on the rivers and fresh waters, discharging the usual duties, notwithstanding any law, privilege, grant, immunity or custom, in any wise importing the contrary. But in the business of religion, there shall be an entire liberty allowed to the subjects of each of the confederates; as also if they are married, to their wives and children: neither shall they be compelled to go to the churches, or to be present at the religious worship in any other place. On the contrary, they may without any kind of molestation perform their religious exercises after their own way, although it be forbid by the laws of the kingdom, privately and within their own walls, and without the admittance of any other persons whatsoever. Moreover, liberty shall not be refused to bury the subjects of either party who die in the territories of the other, in convenient and decent places, to be appointed for that purpose, as occasion shall require; neither shall the dead bodies of those that are buried be any ways molested. The laws and statutes of each kingdom shall remain in full force, and shall be duly put in execution, whether they relate to Commerce and Navigation, or to any other right, those cases only being excepted, concerning which it is otherwise determined in the articles of this present treaty.

ARTICLE VI.

The subjects of each party shall pay the tolls, customs, and duties of import and export through all the dominions and provinces of either party, as are due and accustomed. And that it may be certainly known to every one what are all the said tolls, customs, and duties of import and export, it is likewise agreed, that tables shewing the customs, port duties, and imposts, shall be kept in public places both at London and in other towns within the dominions of the Queen of Great Britain, and at Roan and other towns of France where trading is used, whereunto

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in, without any manner of disturbance, so long as they behave peaceably, and commit no offence against the laws and ordinances: and in case their conduct should render them suspected, and the respective governments should be obliged to order them to remove, the term of twelve months shall be allowed them for that purpose, in order that they may remove, with their effects and property, whether entrusted to individuals or to the state. At the same time it is to be understood that this favor is not to be extended to those who shall act contrary to the established laws.

ARTICLE III.

It is likewise agreed and concluded, that the subjects and inhabitants of the kingdoms, provinces and dominions of their Majesties, shall exercise no acts of hostility or violence against each other, either by sea, or by land, or in rivers, streams, ports, or havens, under any colour or pretence whatsoever; so that the subjects of either party shall receive no patent, commission, or instruction for arming and acting at sea as privateers, nor letters of reprisal, as they are called, from any princes or states, enemies to the other party; nor by virtue or under colour of such patents, commissions, or reprisals, shall they disturb, infest, or any way prejudice or damage the aforesaid subjects and inhabitants of the King of Great Britain, or of the most Christian King; neither shall they arm ships in such manner as above-said, or go out to sea therewith. To which end, as often as it is required by either party, strict and express prohibitions shall be renewed and published in all the territories, countries, and dominions of each party wheresoever, that no one shall in any wise use such commissions or letters of reprisal, under the severest punishment that can be inflicted on the transgressors, besides being liable to make full restitution and satisfaction to those to whom they have done any damage: neither shall any letters of reprisals be hereafter granted by either of the said high contracting parties, to the prejudice or detriment of the subjects of the other, except only in such wherein justice is denied or delayed; which denial or delay of justice shall not be regarded as verified, unless the petition of the person, who desires the said letters of reprisal, be communicated to the Minister residing there on the part of the Prince against whose subjects they are to be granted, that within the space of four months or sooner, if it be possible, he may manifest the contrary, or procure the satisfaction which may be justly due.

ARTICLE IV.

The subjects and inhabitants of the respective dominions of the two sovereigns shall have liberty, freely and securely, without licence or passport, general or special, by land or by sea, or any other way, to enter into the kingdoms, dominions, provinces, countries, islands, cities, villages, towns, walled or unwalled, fortified or unfortified, ports, or territories whatsoever of either sovereign, situated in Europe, and to return from thence, to remain there, or to pass through the same, and therein to buy and purchase, as they please, all things necessary for their subsistence and use, and they shall mutually be treated with all kindness and favour. Provided however, that, in all these matters, they behave and conduct themselves conformably to the laws and statutes, and live with each other in a friendly and peaceable manner, and promote reciprocal concord by maintaining a mutual good understanding.

ARTICLE V.

The subjects of each of their said Majesties may have leave and licence to come with their ships, as also with the merchandizes and goods on board the same, the trade and importation whereof are not prohibited by the laws of either kingdom, and to enter into the countries, dominions, cities, ports, places and rivers of either party, situated in Europe, to resort thereto, and to remain and reside there, without any limitation of time; ALSO TO HIRE HOUSES, or to lodge with other persons, and to buy all lawful kinds of merchandizes, when they think fit, either from the first maker or the seller, or in any other manner, whether in the public market for the sale of merchandizes, or in fairs, or wherever such merchandizes are manufactured or sold. They may likewise DEPOSIT AND KEEP in their magazines and warehouses, THE MERCHANDIZES BROUGHT FROM OTHER PARTS, AND AFTERWARDS EXPOSE THE SAME TO SALE, without being in any wise obliged unless willingly and of their own accord, to bring the said merchandizes to the marts and fairs. Neither are they to be burthened with any impositions or duties on account of the said freedom of trade, or for any other cause whatsoever, except those which are to be paid for their ships and merchandizes conformably to the regulations of the present treaty, or those to which the subjects of the two contracting parties shall themselves be liable. And they shall have free leave, to remove themselves, as also their wives, children and servants, together with their merchandizes, property, goods or effects, whether bought or imported, wherever they shall think fit, out of either kingdom, by land and by sea, on the rivers and fresh waters, after discharging the usual duties, any law, privilege, grant, immunities or customs, to the contrary thereof in any wise notwithstanding. In matters of religion, the subjects of the two crowns shall enjoy perfect liberty; they shall not be compelled to attend divine service, whether in the churches or elsewhere; but, on the contrary, they shall be permitted, without any molestation, to perform the exercises of their religion privately in their own houses, and in their own way. Liberty shall not be refused to bury the subjects of either kingdom who die in the territories of the other, in convenient places to be appointed for that purpose; nor shall the funerals or sepulchres of the deceased be in any wise disturbed. The laws and statutes of each kingdom shall remain in force and rigour, and shall be duly put in execution, whether they relate to Commerce and Navigation, or to any other right, those cases only excepted, concerning which it is otherwise determined in the articles of the present treaty.

PART of SEVENTH ARTICLE.

And to the end that every person may know, with certainty the state of the aforesaid imposts, customs, import and export duties, whatever they may be, it is agreed that tariffs, indicating the imposts, customs, and established duties, shall be affixed in public places, as well in Rouen and the other trading cities of France, as in London and the other trading cities under the dominion of the King of Great Britain, that recourse may be had to them whenever any difference shall arise concerning such imposts, customs, and duties, which shall not be levied, otherwise than in conformity

TREATY of UTRECHT, 1713.

nto recourſe may be had as often as any queſtion or diſpute ariſes concerning ſuch port duties, ſtoms and impoſts, which are to be demanded in ſuch manner, and not otherwiſe, as ſhall be greeable to the plain words and genuine ſenſe of the aboveſaid tables. And if any officer, or ther perſon in his name, ſhall under any pretence, publickly or privately, directly or indi-ectly, aſk or take of a merchant, or of any other perſon, any ſum of money, or any thing elſe n account of right, dues, ſtipend, exhibition or compenſation, although it be under the name f a free gift, or in any other manner, or under any other pretence, more or otherwiſe than what is preſcribed above; in ſuch caſe the ſaid officer, or his deputy, if he be found guilty and onvicted of the ſame before a competent judge in the country where the crime was committed, hall give full ſatisfaction to the party that is wronged, and ſhall likewiſe be puniſhed according o the direction of the laws.

ARTICLE VII.

Merchants, maſters of ſhips, owners, mariners, men of all kinds, ſhips, and all merchandizes general, and effects of one of the confederates, and of his ſubjects and inhabitants, ſhall on public or private account, by virtue of any general or ſpecial edict, be ſeized in any of the nds, ports, havens, ſhores or dominions whatſoever of the other confederate, for the public e, for warlike expeditions, or for any other cauſe; much leſs for the private uſe of any one, all they be detained by arreſts, compelled by violence, or under any colour thereof, or in any iſe moleſted or injured. Moreover it ſhall be unlawful for the ſubjects of both parties, to ke any thing, or to extort it by force, except the perſon to whom it belongs conſent, and it paid for with ready money. Which however is not to be underſtood of that detention and izure, which ſhall be made by the command and authority of juſtice, and by the ordinary ethods on account of debt, or crimes, in reſpect whereof the proceeding muſt be by way of w, according to the form of juſtice.

ARTICLE VIII.

Furthermore it is agreed and concluded as a general rule, that all and ſingular the ſubjects of he moſt Serene Queen of Great Britain, and of the moſt Serene the moſt Chriſtian King, in all ountries and places ſubject to their power on each ſide, as to all duties, impoſitions or cuſtoms hatſoever, concerning perſons, goods, and merchandizes, ſhips, freights, ſeamen, navigation nd commerce, ſhall uſe and enjoy the ſame privileges, liberties, and immunities at leaſt, and ave the like favour in all things, as well in the courts of juſtice, as in all ſuch things as relate ither to commerce, or to any other right whatever, *which any foreign nation, the moſt favoured*, as, uſes, and enjoys, or may hereafter have, uſe, or enjoy.

ARTICLE IX.

This expreſſes the tariff of duties on certain goods, the detail of which it is evident cannot be included in a paper of this compaſs, but will be compared in a diſtinct publication, with that which Mr. Eden has copied from it in the correſpondent article.

ARTICLE X.

The duties on tobacco imported into France, either in the leaf, or prepared, ſhall be reduced hereafter to the ſame moderate rate as the ſaid tobacco of the growth of any country in Europe or America, being brought into France, does or ſhall pay. The ſubjects on both ſides ſhall alſo pay the ſame duties in France for the ſaid tobacco: there ſhall be likewiſe an equal liberty of ſelling it; and the Britiſh ſubjects ſhall have the ſame law as the merchants of France themſelves have and enjoy.

ARTICLE XI.

It is likewiſe concluded that the impoſition or tax of 50 ſols Tournois laid on Britiſh ſhips in France for every ton, ſhall wholly ceaſe, and be from henceforward annulled. In like manner the tax of five ſhillings ſterling, laid on French ſhips in Great Britain for every ton, ſhall ceaſe; neither ſhall the ſame, or any the like impoſitions be laid hereafter on the ſhips of the ſubjects on either ſide.

ARTICLE XII.

It is further agreed and concluded, that it ſhall be wholly free for all merchants, commanders of ſhips, and other the ſubjects of the Queen of Great Britain, in all places of France, to manage their own buſineſs themſelves, or to commit them to the management of whomſoever they pleaſe; nor ſhall they be obliged to make uſe of any interpreter or broker, nor pay to them any ſalary, unleſs they chuſe to make uſe of them. Moreover, maſters of ſhips ſhall not be obliged in loading or unloading their ſhips to make uſe of thoſe workmen, either at Bourdeaux, or in any other places as may be appointed by public authority for that purpoſe; but it ſhall be entirely free for them to load or unload their ſhips by themſelves, or to make uſe of ſuch perſons in loading or unloading the ſame as they ſhall think fit, without the payment of any ſalary to any other whomſoever; neither ſhall they be forced to unload any ſort of merchandizes either into other ſhips, or to receive them into their own, or to wait for their being loaded longer than they pleaſe. And all and every the ſubjects of the moſt Chriſtian King ſhall reciprocally have and enjoy the ſame privileges and liberty in all places in Europe, ſubject to the dominion of Great Britain.

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conformity to what is clearly expreſſed in the ſaid tariffs, and according to their natural conſtruction. And if any officer, or other perſon in his name, ſhall, under any pretence, publickly or privately, directly or indirectly, demand or take of a merchant, or of any other perſon, any ſum of money, or any thing elſe, on account of duties, impoſt, ſearch, or compenſation, although it be under the name of a free gift, or under any other pretence, more or otherwiſe than what is above preſcribed; in ſuch caſe the ſaid officer, or his deputy, if he be acouſed and convicted of the ſame before a competent judge, in the place where the crime was committed, ſhall give full ſatisfaction to the injured party, and ſhall likewiſe ſuffer the penalty preſcribed by the laws.

N. B. The attentive reader of the two treaties, will have occaſion from this period of them to remark, that Mr. Eden has, after the 6th article, forborn to follow the ſeveral Articles of the Treaty of Utrecht, in the exact numerical order in which they ſucceed each other, but has tranſpoſed the ſucceſſion of them, adopting the ſubſtance of one into another, till he at laſt makes uſe of the whole of them almoſt verbatim.

Vide 7th Article of Eden's Treaty, as quoted above.

FURTHER EXTRACT FROM ARTICLE VII.

The duties above ſpecified are not to be altered but by mutual conſent; and the merchandizes not above ſpecified ſhall pay, in the dominions of the two Sovereigns, the import and export duties payable in each of the ſaid dominions by the moſt favoured European nations, at the time the preſent treaty bears date; and the ſhips belonging to the ſubjects of the ſaid dominions ſhall ſo reſpectively enjoy therein all the privileges and advantages which are granted to thoſe of the moſt favoured European nations.

ARTICLE VI.

This contains the tariff of duties on certain goods.

There is a blank ſpace in room of any article correſpondent to this, the fact being, that the above ſubject of trade is now become a mere nullity, by the revolution of the Colonies; ſo that in place of what was once *the moſt valuable article of the Utrecht treaty, Mr. Eden has provided no ſubſtitute.*

ARTICLE XV.

It is agreed, that ſhips belonging to his Britannic Majeſty's ſubjects, arriving in the dominions of his moſt Chriſtian Majeſty from the ports of Great Britain or Ireland, or from any other foreign port, ſhall not pay freight duty, or any other like duty. In the ſame manner, French ſhips ſhall be exempted in the dominions of his Britannic Majeſty, from the duty of five ſhillings, and from every other ſimilar duty or charge.

See ſubſtance of this in ARTICLE XVII.

TREATY of UTRECHT, 1713.

ARTICLE XIII.

It ſhall be wholly lawful and free for merchants and others, being ſubjects either to the Queen of Great Britain, or to the moſt Chriſtian King, by will, and any other diſpoſition made either during the time of ſickneſs, or at any other time before, or at the point of death, to deviſe or give away their merchandizes, effects, money, debts belonging to them, and all moveable goods, which they have or ought to have at the time of their death, within the dominions and any other places belonging to the Queen of Great Britain, and to the moſt Chriſtian King. Moreover, whether they die, having made their will, or inteſtate, their lawful heirs and executors, or adminiſtrators, reſiding in either of the kingdoms, or coming from any other part, although they be not naturalized, ſhall freely and quietly receive and take poſſeſſion of all the ſaid goods and effects whatſoever, according to the laws of Great Britain and France reſpectively; in ſuch manner however, that the wills, and right of entring upon the inheritances of perſons inteſtate, muſt be proved according to law, as well by the ſubjects of the Queen of Great Britain, as by the ſubjects of the moſt Chriſtian King, in thoſe places where each perſon died, whether that may happen in Great Britain or in France, any law, ſtatute, edict, cuſtom, or *Droit d' Aubeine*, whatever to the contrary notwithſtanding.

ARTICLE XIV.

A diſpute ariſing between any commander of the ſhips on both ſides, and his ſeamen in any port of the other party, concerning wages due to the ſaid ſeamen, or other civil cauſes, the magiſtrate of the place ſhall require no more from the perſon accuſed, than that he give to the accuſer a declaration in writing, witneſſed by the magiſtrate, whereby he ſhall be bound to anſwer that matter before a competent judge in his own country; which being done, it ſhall not be lawful either for the ſeamen to deſert the ſhip, or to hinder the commander from proſecuting his voyage. It ſhall moreover be lawful for the merchants on both ſides, in the places of their abode, or elſewhere, to keep books of their accounts, and affairs, as they ſhall think fit, and to have an intercourſe of letters, in ſuch language or idiom, as they ſhall pleaſe, without any moleſtation or ſearch whatſoever. But if it ſhould happen to be neceſſary for them to produce their books of accounts for deciding any diſpute and controverſy, in ſuch caſe they ſhall be obliged to bring into court the entire books or writings, but ſo as that the judge may not have liberty to inſpect any other articles in the ſaid books, than ſuch as ſhall relate to the teſtimony or authority in queſtion, or ſuch as ſhall be neceſſary to give credit to the ſaid books; neither ſhall it be lawful, on any pretence, to take the ſaid books or writings forcibly out of the hands of the owners, or to retain them, the caſe of bankruptcy only excepted; neither ſhall the ſaid ſubjects of the Queen of Great Britain be obliged to write their accounts, copies of letters, acts or inſtruments relating to trade, on ſtamped paper, in French, *Papier timbré*, excepting their day-book; which, that it may be produced as evidence in any law-ſuit, ought, according to the laws which all perſons trading in France are to obſerve, to be ſubſcribed *gratis* by the judge, and ſigned with his own hand.

ARTICLE XV.

It ſhall not be lawful for any foreign privateers, not being ſubjects of one or the other of the confederates who have commiſſions from any other Prince or ſtate in enmity with either nation, to fit their ſhips in the ports of one or the other of the aforeſaid parties, to ſell what they have taken, or in any other manner whatever to exchange their ſhips, merchandizes, or any other ladings; neither ſhall they be allowed even to purchaſe victuals, except ſuch as ſhall be neceſſary for their going to the next port of that Prince from whom they have commiſſions.

ARTICLE XVI.

The ſhips of both parties being laden, ſailing along the coaſts or ſhores of the other, and being forced by ſtorm into the havens or ports, or coming to land in any other manner, ſhall not be obliged there to unlade their goods, or any part thereof, or to pay any duty, unleſs they do of their own accord unlade their goods there, or diſpoſe of any part of their lading: but it may be lawful to take out of the ſhip, and to ſell, leave being firſt obtained from thoſe who have the inſpection of ſea-affairs, a ſmall part of their lading, for this end only, that neceſſaries either for the refreſhment or victualling of the ſhip may be purchaſed; and in that caſe the whole lading of the ſhip ſhall not be ſubject to pay the duties, but that ſmall part only which has been taken out and ſold.

ARTICLE XVII.

It ſhall be lawful for all and ſingular the ſubjects of the Queen of Great Britain, and of the moſt Chriſtian King, to ſail with their ſhips with all manner of liberty and ſecurity, no diſtinction being made who are the proprietors of the merchandizes laden thereon, from any port to the places of thoſe who are now or ſhall be hereafter at enmity with the Queen of Great Britain or the moſt Chriſtian King. It ſhall likewiſe be lawful for the ſubjects and inhabitants aforeſaid, to ſail with the ſhips and merchandizes aforementioned, and to trade with the ſame liberty and ſecurity from the places, ports and havens of thoſe who are enemies of both or of either party, without any oppoſition or diſturbance whatſoever, not only directly from the places of the enemy aforementioned to neutral places, but alſo from one place belonging to an enemy, to another place belonging to an enemy, whether they be under the juriſdiction of the ſame Prince, or under ſeveral. And as it is now ſtipulated concerning ſhips and goods, that free ſhips ſhall alſo give a freedom to goods, and that every thing ſhall be deemed to be free and exempt which ſhall be found on board the ſhips belonging to the ſubjects of either of the confederates, although the whole lading, or any part thereof ſhould appertain to the enemies of either of their Majeſties, contraband goods being always excepted, on the diſcovery whereof matters ſhall be managed according to the ſenſe of the ſubſequent articles. It is alſo agreed in like manner, that the ſame liberty be extended to perſons who are on board a free ſhip, with this effect, that although they be enemies to both, or to either party, they are not to be taken out of that free ſhip, unleſs they are ſoldiers, and in actual ſervice of the enemies.

ARTICLE

TREATY by Mr. EDEN, 1786.

ARTICLE XIV.

It is alſo agreed, that in whatever relates to the lading and unlading of ſhips, the ſafety of merchandize, goods and effects, the ſucceſſion to perſonal eſtates, as well as the protection of individuals, and their perſonal liberty, as alſo the adminiſtration of juſtice, the ſubjects of the two high contracting parties ſhall enjoy in their reſpective dominions, the ſame privileges, liberties and rights, as the moſt favored nation.

N. B. The intelligent reader will obſerve, that no ſpecific mention is made in Mr. Eden's Treaty, of the abrogation of the Droit d' Aubeine, *(which gives, by an injurious diſtinction unknown to this country, the French King all the perſonal property of any alien dying within his dominions,) whereas, in the Treaty of Utrecht, the* Droit d' Aubeine *is directly abrogated in plain, unequivocal terms.*

ARTICLE XVII.

When any diſpute ſhall ariſe between any commander of a ſhip and his ſeamen, in the ports of either kingdom, concerning wages due to the ſaid ſeamen, or other civil cauſes whatever, the magiſtrate of the place ſhall require no more from the perſon accuſed, than that he give to the accuſer, a declaration in writing, witneſſed by the magiſtrate, whereby he ſhall be bound to anſwer that matter before a competent judge in his own country; which being done, it ſhall not be lawful either for the ſeamen to deſert the ſhip, or to hinder the commander from proſecuting his voyage. It ſhall moreover be lawful for the merchants in the places of their abode, or elſewhere, to keep books of their accounts and affairs, as they ſhall think fit, and to have an intercourſe of letters, in ſuch language or idiom as they ſhall chooſe, without any moleſtation or ſearch whatſoever. But if it ſhould happen to be neceſſary for them to produce their books of accounts for deciding any diſpute or controverſy, in ſuch caſe, they ſhall be obliged to bring into court the entire books or writings, but ſo as the Judge may not have the liberty to take cognizance of any other articles in the ſaid books, than ſuch as ſhall relate to the affair in queſtion, or ſuch as ſhall be neceſſary to give credit to the ſaid books; neither ſhall it be lawful, on any pretence, to take the ſaid books or writings forcibly out of the hands of the owners, or to retain them, the caſe of bankruptcy only excepted. Nor ſhall the ſubjects of the king of Great Britain be obliged to write their accounts, letters, or other inſtruments relating to trade, on ſtamped paper, except their day-book, which, that it may be produced as evidence in any law-ſuit, ought, according to the laws which all perſons trading in France are to obſerve, to be indorſed and atteſted, *gratis*, by the Judge, under his own hand.

ARTICLE XVI.

It ſhall not be lawful for any foreign privateers, not being ſubjects of either crown, who have commiſſions from any other province or ſtate, in enmity with either nation, to arm their ſhips in the ports of either of the ſaid two kingdoms, to ſell what they have taken, or in any other manner whatever to exchange the ſame; neither ſhall they be allowed even to purchaſe victuals, except ſuch as ſhall be neceſſary for their going to the neareſt port of that Prince from whom they have obtained commiſſion.

ARTICLE XIX.

The ſhips of either party being laden, ſailing along the coaſts of the other, and being forced by ſtorm into the havens or ports, or making land there in any other manner whatever, ſhall not be obliged to unlade their goods, or any part thereof, or to pay any duty, unleſs they, of their own accord, unlade their goods there, and ſell ſome part thereof. But it ſhall be lawful, permiſſion having been firſt obtained from thoſe who have the direction of maritime affairs, to unlade and ſell a ſmall part of the cargo, merely for the end of purchaſing neceſſaries, either for victualling or refitting the ſhip; and in that caſe the whole lading ſhall not be ſubject to pay the duties, but that ſmall part only which ſhall have been taken out and ſold.

ARTICLE XX.

It ſhall be lawful for all the ſubjects of the King of Great Britain, and of the moſt Chriſtian King, to ſail with their ſhips, with perfect ſecurity and liberty, no diſtinction being made who are the proprietors of the merchandizes laden thereon, from any part whatever, to the countries which are now or ſhall be hereafter at war with the King of Great Britain, or the moſt Chriſtian King. It ſhall likewiſe be lawful for the aforeſaid ſubjects to ſail and traffick with their ſhips and merchandize, with the ſame liberty and ſecurity, from the countries, ports and places of thoſe who are enemies of both, or of either party, without any oppoſition or diſturbance whatſoever, and to paſs directly not only from the places of the enemy aforementioned to neutral places, but alſo from one place belonging to an enemy, to another place belonging to an enemy, whether they be under the juriſdiction of the ſame or of ſeveral princes. And it has been ſtipulated concerning ſhips and goods, that every thing ſhall be deemed to be free, which ſhall be found on board the ſhips belonging to the ſubjects of the reſpective kingdoms, although the whole lading, or part thereof, ſhould belong to the enemies of their Majeſties, contraband goods being always excepted, on the ſtopping of which ſuch proceedings ſhall be had as are conformable to the ſpirit of the following articles; it is likewiſe agreed, that the ſame liberty be extended to perſons who are on board a free ſhip, to the end that, although they be enemies to both or either party, they may not be taken out of ſuch free ſhip, unleſs they are ſoldiers, actually in the ſervice of the enemies, and on their voyage for the purpoſe of being employed in a military capacity, in their fleets or armies.

N. B. A complete admiſſion of the principle of the Armed Neutrality, which in the inſtance of the Treaty of Utrecht was rejected with the utmoſt abhorrence.

ARTICLE

TREATY of UTRECHT, 1713.

ARTICLE XVIII.

This liberty of navigation and commerce ſhall extend to all kinds of merchandizes, excepting ſe only which follow in the next article, and which are ſignified by the name of contraband.

ARTICLE XIX.

Under this name of contraband or prohibited goods ſhall be comprehended arms, great guns, mbs, with their fuſees and other things belonging to them, fire-balls, gunpowder, match, nnon-ball, pikes, ſwords, lances, ſpears, halberts, mortars, petards, granadoes, ſaltpetre, ſkets, muſket-ball, helmets, head-pieces, breaſt-plates, coats of mail, and the like kinds of ns, proper for arming ſoldiers, muſket-reſts, belts, horſes with their furniture, and all other rlike inſtruments whatever.

ARTICLE XX.

Theſe merchandizes which follow ſhall not be reckoned among prohibited goods; that is to all ſorts of cloths, and all other manufactures woven of any wool, flax, ſilk, cotton, or any er materials whatever; all kinds of clothes and wearing apparel, together with the ſpecies ereof they are uſe to be made; gold and ſilver, as well coined as uncoined, tin, iron, lead, per, braſs, coals: as alſo wheat and barley, and any other kind of corn and pulſe; tobacco, likewiſe all manner of ſpices, ſalted and ſmoaked fleſh, ſalted fiſh, cheeſe and butter, , oils, wines, ſugars, and all ſorts of ſalt, and in general all proviſions which ſerve for the riſhment of mankind and the ſuſtenance of life. Furthermore, all kinds of cotton, hemp, tar, pitch, ropes, cables, ſails, ſail-cloths, anchors, and any parts of anchors, alſo ſhip- s, planks, boards and beams of what trees ſoever; and all other things proper either for ling or repairing ſhips; and all other goods whatever, which have not been worked into orm of any inſtrument or thing prepared for war, by land or by ſea, ſhall not be reputed raband, much leſs ſuch as have been already wrought and made up for any other uſe; all ch ſhall wholly be reckoned among free goods; as likewiſe all other merchandizes and gs which are not comprehended and particularly mentioned in the preceding article, ſo that may be tranſported and carried in the freeſt manner by the ſubjects of both confederates, to places belonging to an enemy, ſuch towns or places being only excepted as are at that beſieged, blocked up round about, or inveſted.

ARTICLE XXI.

the end that all manner of diſſenſions and quarrels may be avoided and prevented on one nd the other, it is agreed, that in caſe either of their Royal Majeſties who are allied d be engaged in war, the ſhips and veſſels belonging to the ſubjects of the other ally muſt rniſhed with ſea letters or paſſports, expreſſing the name, property, and bulk of the ſhip, o the name and place of the habitation of the maſter or commander of the ſaid ſhip, that y appear thereby that the ſhip really and truly belongs to the ſubjects of one of the Princes; h paſſports ſhall be made out and granted according to the form annexed to this treaty: ſhall likewiſe be recalled every year, that is, if the ſhip happens to return home within the e of a year. It is likewiſe agreed, that ſuch ſhips being laden, are to be provided not only paſſports as abovementioned, but alſo with certificates containing the ſeveral particulars he cargo, the place whence the ſhip ſailed, and whither ſhe is bound, that ſo it may be wn whether any forbidden or contraband goods as are enumerated in the 19th article of this ty, be on board the ſame; which certificates ſhall be made out by the officers of the place nce the ſhip ſet ſail, in the accuſtom'd form. And if any one ſhall think it fit or adviſe to expreſs in the ſaid certificates the perſon to whom they belong, he may freely do ſo.

ARTICLE XXII.

he ſhips of the ſubjects and inhabitants of both their moſt Serene Royal Majeſties coming y of the ſea-coaſts within the dominions of either of the confederates, but not willing to r into port, or being entered, yet not being willing to ſhew or to ſell the cargoes of their , ſhall not be obliged to give an account of their lading, unleſs they are ſuſpected upon evidence, of carrying to the enemies of the other confederate prohibited goods, called con- and.

ARTICLE XXIII.

nd in caſe of the ſaid manifeſt ſuſpicion, the ſaid ſubjects and inhabitants of the dominions oth their moſt Serene Royal Majeſties ſhall be obliged to exhibit in the ports their paſſ- s and certificates, in the manner before ſpecified.

ARTICLE XXIV.

ut in caſe the ſhips of the ſubjects and inhabitants of both their moſt Serene Royal Majeſ- either on the ſea-coaſt or on the high ſeas, ſhall meet with the men of war of the other, with privateers, the ſaid men of war and privateers, for preventing any inconveniences, are emain out of cannon-ſhot, and to ſend a boat to the merchant ſhip which has been met h, and ſhall enter her with two or three men only, to whom the maſter or commander of ſhip or veſſel ſhall ſhew his paſſport, concerning the property thereof, made out accord- to the form annexed to this preſent treaty; and the ſhip which ſhall exhibit one, ſhall e free paſſage, and it ſhall be wholly unlawful any way to moleſt her, ſearch, or compel to quit her intended courſe.

ARTICLE XXV

nt that merchant ſhip of the other party, which intends to go to a port at enmity with the r confederate, or concerning whoſe voyage, and the ſort of goods on board, there may be juſt

TREATY by Mr. EDEN, 1786.

ARTICLE XXI.

This liberty of navigation and commerce ſhall extend to all kinds of merchandizes, excepting thoſe only which are ſpecified in the following article, and which are deſcribed under the name of contraband.

ARTICLE XXII.

Under this name of contraband, or prohibited goods, ſhall be comprehended arms, cannon, harquebuſſes, mortars, petards, bombs, grenades, fauciſſes, carcaſſes, carriages for cannon, muſket-reſts, bandaleers, gunpowder, match, ſaltpetre, ball, pikes, ſwords, head-pieces, helmets, cuiraſſes, halberds, javelins, holſters, belts, horſes and harneſs, and all other kinds of arms and warlike implements fit for the uſe of troops.

ARTICLE XXIII.

Theſe merchandizes which follow ſhall not be reckoned among contraband goods, that ſay, all ſorts of cloth, and all other manufactures of wool, flax, ſilk, cotton, or any other materials, all kinds of wearing apparel together with the articles of which they are uſually made, gold, ſilver, coined or uncoined, tin, iron, lead, copper, braſs, coals, as alſo wheat and barley, any other kind of corn and pulſe, tobacco, and all kinds of ſpices, ſalted and ſmoaked fleſh, ſalted fiſh, cheeſe and butter, beer, oil, wines, ſugar, all ſorts of ſalt, and of proviſions which ſerve for ſuſtenance and food to mankind; alſo all kinds of cotton, cordage, cables, ſails, ſail-cloth, hemp, tallow, pitch, tar and roſin, anchors, and any parts of anchors, ſhip-maſts, planks, timber of all kinds of trees, and all other things proper either for building or repairing ſhips. Nor ſhall any other goods whatever, which have not been worked into the form of any inſtrument, or furniture for warlike uſe, by land or by ſea, be reputed contraband, MUCH LESS SUCH AS HAVE BEEN ALREADY WROUGHT AND MADE UP FOR ANY OTHER PURPOSE. All which things ſhall be deemed goods not contraband, as likewiſe all others which are not comprehended and particularly deſcribed in the preceding article; ſo that they may be freely carried by the ſubjects of both kingdoms, even to places belonging to an enemy, excepting only ſuch places as are beſieged, blocked up or inveſted.

ARTICLE XXIV.

To the end that all manner of diſſenſions and quarrels may be avoided and prevented on both ſides, it is agreed, that in caſe either of their Majeſties ſhould be engaged in war, the ſhips and veſſels belonging to the ſubjects of the other ſhall be furniſhed with ſea letters or paſſports, expreſſing the name, property, and bulk of the ſhip, as alſo the name and place of abode of the maſter or commander of the ſaid ſhip, that it may appear thereby, that the ſhip really and truly belongs to the ſubjects of one of the Princes; which paſſports ſhall be made out and granted, according to the form annexed to the preſent treaty: they ſhall likewiſe be renewed every year, if the ſhip happens to return home within the ſpace of a year. It is alſo agreed, that ſuch ſhips when laden, are to be provided not only with paſſports as abovementioned, but alſo with certificates containing the ſeveral particulars of the cargo, the place from whence the ſhip ſailed, and whither ſhe is bound, ſo that it may be known whether ſhe carries any of the prohibited or contraband goods ſpecified in the 22d article of this treaty; which certificates ſhall be prepared by the officers of the place from whence the ſhip ſet ſail, in the accuſtomed form. And if any one ſhall think fit to expreſs in the ſaid certificates the perſon to whom the goods belong, he may freely do ſo.

ARTICLE XXV.

The ſhips belonging to the ſubjects and inhabitants of the reſpective kingdoms coming to any of the coaſts of either of them, but without being willing to enter into port, or, being entered, yet not willing to land their cargoes or break bulk, ſhall not be obliged to give an account of their lading, unleſs they are ſuſpected, upon ſure evidence, of carrying prohibited goods, called contraband, to the enemies of either of the two high contracting parties.

This form expreſſed in other articles.

ARTICLE XXVI.

In caſe the ſhips belonging to the ſaid ſubjects, and inhabitants of the reſpective dominions of their moſt Serene Majeſties, either on the coaſt, or on the high ſeas, ſhall meet with any men of war belonging to their moſt Serene Majeſties, or with privateers, the ſaid men of war and privateers, for preventing any inconveniencies, are to remain out of cannon ſhot, and to ſend their boats to the merchant ſhip which may be met with, and ſhall enter her to the number of two or three men only, to whom the maſter or commander of ſuch ſhip or veſſel ſhall ſhew his paſſport, containing the proof of the property of the ſhip, made out according to the form annexed to this preſent treaty; and the ſhip which ſhall have exhibited the ſame, ſhall have liberty to continue her voyage, and it ſhall be wholly unlawful any way to moleſt or ſearch her, or to chaſe or compel her to alter her courſe.

ARTICLE XXVII.

The merchant ſhips belonging to the ſubjects of either of the two high contracting parties, which intend to go to a port at enmity with the other Sovereign, concerning whoſe voyage and

the

juſt ſuſpicion, ſhall be obliged to exhibit, either on the high ſeas, or in the ports and havens, not only her paſſports, but her certificates, expreſſing, that they are not of the kind of goods prohibited, which are ſpecified in the 19th article.

ARTICLE XXVI.

But if one party, on the exhibiting the aboveſaid certificates, mentioning the particulars of the things on board, ſhould diſcover any goods of that kind which are declared contraband or prohibited by the 19th article of this treaty, deſigned for a port ſubject to the enemy of the other, it ſhall be unlawful to break up the hatches of that ſhip, wherein the ſame ſhall happen to be found, whether ſhe belongs to the ſubjects of Great Britain or of France, to open the cheſts, packs, or caſks therein, or to remove even the ſmalleſt parcel of the goods, unleſs the lading be brought on ſhore, in the preſence of the officers of the Court of Admiralty, and an inventory thereof made; but there ſhall be no allowance to ſell, exchange, or alienate the ſame in any manner, unleſs after that due and lawful proceſs ſhould have been had againſt ſuch prohibited goods, and the Judges of the Admiralty reſpectively ſhall by a ſentence pronounced, have confiſcated the ſame, ſaving always as well the ſhip itſelf, as the other goods found therein, which by this treaty are to be eſteemed free; neither may they be detained on preſence of their being, *as it were, infected by the prohibited goods*, much leſs ſhall they be confiſcated as lawful prize: but if not the whole cargo, but only part thereof, ſhall conſiſt of prohibited or contraband goods, and the commander of the ſhip ſhall be ready and willing to deliver them to the captor, who has diſcovered them, in ſuch caſe the captor having received thoſe goods, ſhall forthwith diſcharge the ſhip, and not hinder her, by any means, freely to proſecute the voyage on which ſhe was bound.

ARTICLE XXVII.

On the contrary it is agreed, That whatever ſhall be found to be laden by the ſubjects and inhabitants of either party on any ſhip belonging to the enemy of the other, and his ſubjects, the whole, although it be not of the ſort of prohibited goods, may be confiſcated, in the ſame manner as if it belonged to the enemy himſelf; except thoſe goods and merchandizes as were put on board ſuch ſhip before the declaration of war, or even after ſuch declaration, if ſo be it were done within the time and limits following, that is to ſay, If they were put on board ſuch ſhip in any port and place within the ſpace of ſix weeks after ſuch declaration within the bounds called the Naze in Norway, and the Soundings; of two months from the Soundings to the city of Gibraltar; of ten weeks in the Mediterranean ſea; and of eight months in any other country or place in the world; ſo that the goods of the ſubjects of either Prince, whether they be of the nature of ſuch as are prohibited, or otherwiſe, which, as is aforeſaid, were put on board any ſhip belonging to an enemy before the war, or after the declaration of the ſame, within the time and limits aboveſaid, ſhall no ways be liable to confiſcation, but ſhall well and truly be reſtored without delay to the proprietors demanding the ſame; but ſo that if the ſaid merchandizes be contraband, it ſhall not be any ways lawful to carry them afterwards to the ports belonging to the enemy.

ARTICLE XXVIII.

And that more abundant care may be taken for the ſecurity of the ſubjects of both their moſt Serene Royal Majeſties, that they ſuffer no injury by the men of war or privateers of the other party, all the commanders of the ſhips of the Queen of Great Britain, and of the moſt Chriſtian King, and all their ſubjects, ſhall be forbid doing any injury or damage to the other ſide; and if they act to the contrary, they ſhall be puniſhed, and ſhall moreover be bound to make ſatisfaction for all cauſe of damage, and the intereſt thereof, by reparation, under the bond and obligation of their perſon and goods.

ARTICLE XXIX.

For this cauſe all commanders of privateers, before they receive their patents or ſpecial commiſſions, ſhall hereafter be obliged to give, before a competent judge, ſufficient ſecurity for good bail, who are men able to pay, and have no intereſt in the ſaid ſhip, and are each bound in the whole, for the ſum of 1500*l.* ſterling, or 16500 *livres tournois*; or if ſuch ſhip be provided with above one hundred and fifty ſeamen or ſoldiers, for the ſum of 3000*l.* ſterling, or 33000 *livres tournois*, that they will make entire ſatisfaction for any damages and injuries whatſoever, which they, or their officers, or others in their ſervice, commit during their courſe at ſea, contrary to this preſent treaty, or the edicts of either of their moſt Serene Royal Majeſties, publiſhed by virtue thereof; under penalty likewiſe of having their ſpecial commiſſions and patents revoked and annulled.

ARTICLE XXX.

Both their abovenamed Royal Majeſties being willing to ſhew a mutual and equal favour in all their dominions reſpectively, to the ſubjects of each other, in the ſame manner as if they were their own ſubjects, will give ſuch orders as ſhall be neceſſary and effectual, that juſtice be adminiſtered concerning prizes in the court of Admiralty, according to the rule of equity and right, and the articles of this treaty, by judges who are above all ſuſpicion, and who have no manner of intereſt in the cauſe in diſpute.

ARTICLE XXXI.

Whenſoever the Ambaſſadors of each of their Royal Majeſties abovenamed, and other their Miniſters, having a publick character, and reſiding in the Court of the other Prince, ſhall complain of the unjuſtneſs of the ſentences which have been given, their Majeſties on each ſide ſhall take care that the ſame be reviſed with and re-examined in their reſpective councils, that it may appear whether the directions and proviſions preſcribed in this treaty have been obſerved, and have had their due effect: they ſhall likewiſe take care, that this matter be effectually provided for, and that right be done to every complainant within the ſpace of three months. However, before

the ſort of goods on board there may be juſt cauſe of ſuſpicion, ſhall be obliged to exhibit, as well on the high ſeas as in the ports and havens, not only her paſſports, but alſo her certificates, expreſſing that the goods are not of the kind which are contraband, as ſpecified in the 22d article of this treaty.

ARTICLE XXVIII.

If, on exhibiting the abovementioned certificates, containing a liſt of the cargo, the other party ſhould diſcover any goods of that kind which are declared contraband, or prohibited by the 22d article of this treaty, and which are deſigned for a port ſubject to his enemies, it ſhall be unlawful to break up or open the hatches, cheſts, caſks, bales, or other veſſels found on board ſuch ſhip, or to remove even the ſmalleſt parcel of the goods, whether the ſaid ſhip belongs to the ſubjects of the King of Great Britain, or of the moſt Chriſtian King, unleſs the lading be brought on ſhore, in the preſence of the officers of the Court of Admiralty, and an inventory made by them of the ſaid goods: nor ſhall it be lawful to ſell, exchange, or alienate the ſame in any manner, unleſs after due and lawful proceſs ſhall have been had againſt ſuch prohibited goods, and the Judges of the Admiralty reſpectively ſhall, by ſentence pronounced, have confiſcated the ſame, ſaving always as well the ſhip itſelf, as the other goods found therein which by this treaty are to be accounted free; neither may they be detained on pretence of their being mixed with prohibited goods, much leſs ſhall they be confiſcated as lawful prize: and if when only part of the cargo ſhall conſiſt of contraband goods, the maſter of the ſhip ſhall agree, conſent and offer to deliver them to the captor who has diſcovered them, in ſuch caſe the captor having received thoſe goods, as lawful prize, ſhall forthwith releaſe the ſhip, and not hinder her by any means, from proſecuting her voyage to the place of her deſtination.

ARTICLE XXIX.

On the contrary it is agreed, that whatever ſhall be found to be laden by the ſubjects and inhabitants of either party, on any ſhips belonging to the enemies of the other, although it be not contraband goods, ſhall be confiſcated in the ſame manner as if it belonged to the enemy himſelf; except thoſe goods and merchandizes which were put on board ſuch ſhip before the declaration of war, or the general order for repriſals, or even after ſuch declaration, if it were done within the times following; that is to ſay, if they were put on board ſuch ſhip in any port or place, within the ſpace of two months after ſuch declaration, or order for repriſals between Archangel, St. Peterſburgh, and the Scilly Iſlands, and between the ſaid iſlands and the city of Gibraltar; of ten weeks in the Mediterranean ſea; and of eight months in any other country or place in the world; ſo that the goods of the ſubjects of either Prince, whether they be contraband, or otherwiſe, which, as aforeſaid, were put on board any ſhip belonging to an enemy before the war, or after the declaration of the ſame, within the time and limits abovementioned, ſhall no ways be liable to confiſcation, but ſhall well and truly be reſtored, without delay, to the proprietors demanding the ſame; provided nevertheleſs that, if the ſaid merchandizes be contraband, it ſhall not be any ways lawful to carry them afterwards to the ports belonging to the enemy.

ARTICLE XXX.

And that more abundant care may be taken for the ſecurity of the reſpective ſubjects of their Moſt Serene Majeſties, to prevent their ſuffering any injury by the men of war or privateers of either party, all the commanders of the ſhips of the King of Great Britain, and of the Moſt Chriſtian King, and all their ſubjects, ſhall be forbid doing any damage to thoſe of the other party, or committing any outrage againſt them; and if they act to the contrary they ſhall be puniſhed, and ſhall moreover be bound, in their perſons and eſtates, to make ſatisfaction and reparation for all damages, and the intereſt thereof, of what nature ſoever.

ARTICLE XXXI.

For this cauſe, all commanders of privateers, before they receive their patents or ſpecial commiſſions, ſhall hereafter be obliged to give, before a competent judge, ſufficient ſecurity for good bail, who are reſponſible men, and have no intereſt in the ſaid ſhip, each of whom ſhall be bound in the whole of the ſum of thirty-ſix thouſand *livres tournois*, or fifteen hundred pounds ſterling; or if ſuch ſhip be provided with above one hundred and fifty ſeamen and ſoldiers, for the ſum of ſeventy two thouſand *livres tournois*, or three thouſand pounds ſterling, that they will make entire ſatisfaction for all damages and injuries whatſoever, which they, their officers, or others in their ſervice, may commit during their cruize, contrary to the tenor of this preſent treaty, or the edicts made in conſequence thereof, by their moſt Serene Majeſties, under penalty likewiſe of having their patents and ſpecial commiſſions revoked and annulled.

ARTICLE XXXII.

Their ſaid Majeſties being willing mutually to treat in their dominions the ſubjects of each other as favourably as if they were their own ſubjects, will give ſuch orders as ſhall be neceſſary and effectual, that the judgments and decrees concerning prizes in the court of Admiralty be given conformably to the rules of juſtice and equity, and to the ſtipulations of this treaty, by judges who are above all ſuſpicion, and who have no manner of intereſt in the cauſe in diſpute.

ARTICLE XXXV.

Whenſoever the Ambaſſadors of either of their ſaid Majeſties, or other their Miniſters having a public character, and reſiding at the Court of the other Prince, ſhall complain of the injuſtice of the ſentences which have been given, their Majeſties ſhall reſpectively cauſe the ſame to be reviſed and re-examined in their councils, unleſs their councils ſhould already have decided thereupon, that it may appear, with certainty, whether the directions and proviſions preſcribed in this treaty have been followed and obſerved. Their Majeſties ſhall likewiſe take care that this matter be effectually provided for, and that juſtice be done to every complainant within

TREATY of UTRECHT, 1713.

fore or after judgment given, the reviſion thereof ſtill depending, for the avoiding all damage, it ſhall not be lawful to ſell the goods in diſpute, or to unlade them, unleſs with the conſent of the perſons concerned.

ARTICLE XXXII.

A ſuit being commenced between the captors of prizes on one part, and the reclaimers of the ame on the other, and a ſentence or decree being given in favour of the reclaimer, that ſame ntence or decree, ſecurity being given, ſhall be put in execution, the appeal of the captor to ſuperior judge in any wiſe notwithſtanding; which however is not to be obſerved when judgent has been given againſt the reclaimer.

ARTICLE XXXIII.

n caſe that either ſhips of war or merchant-men, forced by ſtorm or other misfortunes, be ven on rocks or ſhelves on the coaſts of one or the other party, and are there broken to pieces d ſhipwrecked, whatever part of the ſhips or tackling thereof, as alſo of the goods and merndizes, ſhall be ſaved, or the produce thereof, ſhall be faithfully reſtored to the proprietors, laimers, or their factors, paying only the expences of preſerving the ſame, in ſuch manner may be ſettled on both ſides concerning the rate of ſalvage; ſaving at the ſame time the hts and cuſtoms of each nation. And both their moſt Serene Royal Majeſties will interpoſe ir authority, that ſuch of their ſubjects may be ſeverely puniſhed who in the like accident ll be found guilty of inhumanity.

ARTICLE XXXIV.

t ſhall be free for the ſubjects of each party to employ ſuch advocates, attornies, notaries, citors and factors as they ſhall think fit; to which end the ſaid advocates and others abovetioned, may be appointed by the ordinary Judges if it be needful, and the Judges be reed thereunto.

ARTICLE XXXV.

And that the commerce and navigation may be more ſecurely and freely followed, it is further reed, that neither the Queen of Great Britain, nor the moſt Chriſtian King, ſhall receive y pirates and robbers into any of their ports, havens, cities, or towns; neither ſhall they rmit them to be received into their ports to be protected or aſſiſted by any manner of harring or ſupport by any the ſubjects or inhabitants of either of them; but they ſhall rather ſe all ſuch pirates and ſea-robbers, or whoever ſhall receive, conceal or aſſiſt them, to be prehended and puniſhed as they deſerve, for a terror and example to others. And all the ips, goods or merchandizes being piratically taken by them, and brought into the ports of the ngdom of either, as much as can be found, although they have by ſale been conveyed to hers, ſhall be reſtored to the lawful owners or their deputies, having inſtruments of delegan, and an authority of procuration for reclaiming the ſame; and indemnification ſhall be made, roper evidence being firſt given in the Court of Admiralty for proving the property. And all ips and merchandizes of what nature ſoever, which can be refcued out of their hands on the h ſeas, ſhall be brought into ſome port of either kingdom, and ſhall be delivered to the ſtody of the officers of that port, with this intention, that they be delivered entire to the e proprietor, as ſoon as due and ſufficient proof ſhall have been made concerning the prorty thereof.

ARTICLE XXXVI.

It ſhall be lawful as well for the ſhips of war of both their moſt Serene Royal Majeſties, as r privateers, to carry whitherſoever they pleaſe, the ſhips and goods taken from their enees, neither ſhall they be obliged to pay any thing to the Officers of the Admiralty, or to y other Judges; nor ſhall the above-mentioned prizes, when they come to and enter the rts of either of their moſt Serene Royal Majeſties, be detained by arreſt, neither ſhall archers or other officers of thoſe places make examination concerning them, or the validity ereof; but rather they ſhall have liberty to hoiſt ſail at any time, to depart, and to carry eir prizes to that place which is mentioned in their commiſſion or patent, which the comanders of ſuch ſhips of war ſhall be obliged to ſhew. On the contrary, no ſhelter or refuge all be given in their ports to ſuch as have made a prize upon the ſubjects of either of their oyal Majeſties. And if perchance ſuch ſhips ſhall come in, being forced by ſtreſs of weather, the danger of the ſea, particular care ſhall be taken, (as far as it is not repugnant to former eaties made with other Kings and States) that they go from thence, and retire elſewhere as on as poſſible.

ARTICLE XXXVII.

Neither of their moſt Serene Royal Majeſties ſhall permit that the ſhips or goods of the other taken upon the coaſts, or in the ports or rivers of their dominions, by ſhips of war of others ving commiſſion from any prince, commonwealth, or town whatſoever. And in caſe ſuch hing ſhould happen, both parties ſhall uſe their authority and united force, that the damage ne ſhall be made good.

ARTICLE

TREATY by Mr. EDEN, 1786.

ſpace of three months. However, before or after judgment given, and pending the reviſion thereof, it ſhall not be lawful to ſell the goods in diſpute, or to unlade them, unleſs with the conſent of the perſons concerned, for preventing any kind of loſs; and laws ſhall be enacted on both ſides for the execution of the preſent article.

ARTICLE XXXVI.

If any differences ſhall ariſe reſpecting the legality of prizes, ſo that a judicial deciſion ſhould become neceſſary, the judge ſhall direct the effects to be unladen, an inventory and appraiſement to be made thereof, and ſecurity to be required reſpectively from the captor for paying coſts, in caſe the ſhip ſhould not be declared lawful prize; and from the claimant for paying the value of the prize, in caſe it ſhould be declared lawful; which ſecurities being given by both parties, the prize ſhall be delivered up to the claimant. But if the claimant ſhould refuſe to give ſufficient ſecurity, the judge ſhall direct the prize to be delivered to the captor, after having received from him good and ſufficient ſecurity for paying the full value of the ſaid prize, in caſe it ſhould be adjudged illegal. Nor ſhall the execution of the ſentence of the judge be ſuſpended by reaſon of any appeal, when the party againſt whom ſuch appeal ſhall be brought, whether claimant or captor, ſhall have given ſufficient ſecurity for reſtoring the ſhip or effects, or the value of ſuch ſhip or effects, to the appellant, in caſe judgment ſhould be given in his favour.

ARTICLE XXXVII.

In caſe of any ſhips of war or merchantmen, forced by ſtorms or other accidents, be driven on rocks or ſhelves, on the coaſts of either of the high contracting parties, and ſhould be there daſhed to pieces and ſhipwrecked; all ſuch parts of the ſaid ſhips, or of the furniture or apparel thereof, as alſo of the goods and merchandizes as ſhall be ſaved, or the produce thereof, ſhall be faithfully reſtored, upon the ſame being claimed by the proprietors, or their factors, duly authorized, paying only the expences incurred in the preſervation thereof, according to the rate of ſalvage ſettled on both ſides; ſaving at the ſame time the rights and cuſtoms of each nation, the abolition or modification of which ſhall however be treated upon, in the caſes where they ſhall be contrary to the ſtipulations of the preſent article; and their Majeſties will mutually interpoſe their authority, that ſuch of their ſubjects, as ſhall be ſo inhuman as to take advantage of any ſuch misfortune, may be ſeverely puniſhed.

ARTICLE XXXVIII.

It ſhall be free for the ſubjects of each party to employ ſuch advocates, attornies, notaries, ſolicitors and factors as they ſhall think fit; to which end the ſaid advocates and others abovementioned, ſhall be appointed by the ordinary judges, if it be needful, and the judges be thereunto required.

ARTICLE XXXIX.

And for the greater ſecurity and liberty of commerce and navigation, it is further agreed, that both the King of Great Britain, and the moſt Chriſtian King, ſhall not only refuſe to receive any pirates or ſea-rovers whatſoever into any of their havens, ports, cities or towns, or permit any of their ſubjects, citizens or inhabitants, on either part, to receive or protect them in their ports, to harbour them in their houſes, or to aſſiſt them in any manner whatſoever; but further they ſhall cauſe all ſuch pirates and ſea-rovers, and all perſons who ſhall receive, conceal or aſſiſt them, to be brought to condign puniſhment, for a terror and example to others. And all their ſhips, with the goods or merchandizes taken by them, and brought into the ports of either kingdom, ſhall be ſeized as far as they can be diſcovered, and ſhall be reſtored to the owners, or their factors duly authorized or deputed by them in writing, proper evidence being firſt given in the Court of Admiralty, for proving the property, even in caſe ſuch effects ſhould have paſſed into other hands by ſale, if it be proved that the buyers knew, or might have known, that they had been piratically taken. And generally all ſhips and merchandizes, of what nature ſoever, which may be taken on the high ſeas, ſhall be brought into ſome port of either kingdom, and delivered into the cuſtody of the officers of that port, that they may be reſtored entire to the true proprietor, as ſoon as due and ſufficient proof ſhall have been made concerning the property thereof.

ARTICLE XL.

It ſhall be lawful, as well for the ſhips of war of their Majeſties, as for privateers belonging to their ſubjects, to carry whitherſoever they pleaſe, the ſhips and goods taken from their enemies, without being obliged to pay any fee to the officers of the Admiralty, or to any judges whatever; nor ſhall the ſaid prizes, when they arrive at and enter the ports of their ſaid Majeſties, be detained or ſeized, neither ſhall the ſearchers, or other officers of thoſe places, viſit or take cognizance of the validity of ſuch prizes; but they ſhall be at liberty to hoiſt ſail at any time, to depart, and to carry their prizes to the place mentioned in the commiſſions or patents, which the commanders of ſuch ſhips of war ſhall be obliged to ſhew: on the contrary, no ſhelter or refuge ſhall be given in their ports to ſuch as have made a prize upon the ſubjects of their Majeſties; but if forced by ſtreſs of weather, or the dangers of the ſea, to enter therein, particular care ſhall be taken to haſten their departure, and to cauſe them to retire from thence as ſoon as poſſible, as far as it is not repugnant to former treaties made in this reſpect with other Sovereigns or States.

ARTICLE XLI.

Neither of their ſaid Majeſties ſhall permit the ſhips or goods belonging to the ſubjects of the other to be taken within cannon ſhot of the coaſt, or in the ports or rivers of their dominions, by ſhips of war, or others having commiſſion from any prince, republic or city whatſoever; but in caſe it ſhould ſo happen, both parties ſhall employ their united force to obtain reparation of the damage thereby occaſioned.

ARTICLE

TREATY of UTRECHT, 1713.

ARTICLE XXXVIII.

If hereafter it ſhall happen through inadvertency or otherwiſe, that any contraventions or inconveniences on either ſide ariſe concerning the obſervation of this treaty, the friendſhip and good intelligence ſhall not immediately thereupon be broke off; but this treaty ſhall ſubſiſt in all its force, and a proper remedy for removing the inconveniences ſhall be procured, as likewiſe reparation of the contraventions: and if the ſubjects of the one or the other be found in fault, they only ſhall be ſeverely puniſhed and chaſtiſed.

ARTICLE XXXIX.

But if it ſhall appear that a captor made uſe of any kind of torture upon the maſter of the ſhip, the ſhip's crew, or others who ſhall be on board any ſhip belonging to the ſubjects of the other party; in ſuch caſe not only the ſhip itſelf, together with the perſons, merchandizes and goods whatſoever, ſhall be forthwith releaſed without any further delay, and ſet entirely free, but alſo ſuch as ſhall be found guilty of ſo great a crime, as alſo the acceſſaries thereunto, ſhall ſuffer the moſt ſevere puniſhment ſuitable to their crime. This the Queen of Great Britain and the moſt Chriſtian King do mutually engage ſhall be done without any reſpect of perſons.

N. B. *The thirty-nine articles, which we have already tranſcribed, comprized the whole of the above treaty as originally conſtituted.---Nine additional articles were afterwards tacked to it, which Mr. Eden, with the ſame tame obedience to his original, has incorporated into his* NEW *Syſtem.*

ADDITIONAL ARTICLE I.

No manufactures of either kingdom, and the dominions belonging thereunto, ſhall hereafter be ſubject to be inſpected and confiſcated, under any pretence of fraud or defect in making or working them, or becauſe of any other imperfection therein; but abſolute freedom ſhall be allowed to the buyer and ſeller to bargain and agree for the ſame, as they ſhall ſee good; any law, ſtatute, edict, arreſt, privilege, grant or cuſtom to the contrary notwithſtanding.

ADDITIONAL ARTICLE II.

And for as much as a certain uſage, not confirmed by any law, has obtained in ſeveral towns of Great Britain and of France; that is to ſay, that every one for coming in, and going out, ſhall pay a kind of tax, called in Engliſh head-money, and in French du chef; it is concluded that neither the ſame nor any other duty on that account, ſhall any more be exacted.

ADDITIONAL ARTICLE V.

Whereas ſeveral kinds of goods, contained in caſks, cheſts, or other caſes, for which the duties are paid by weight, will be exported from, and imported into France by Britiſh ſubjects; it is therefore agreed that in ſuch caſe the aforeſaid duties ſhall be payable only according to the weight of the goods themſelves; but the weight of the caſks, cheſts, and other caſes whatever, ſhall be deducted in ſuch manner and in ſuch proportion as has been hitherto uſed in England, and is ſtill practiſed.

ADDITIONAL ARTICLE VI.

It is further agreed, that if any miſtake or error ſhall on either ſide be committed by any maſter of a ſhip, his interpreter or factor, or by others employed by him, in making the entry or declaration of the goods on board his ſhip for ſuch defect, if ſo be ſome fraud does not evidently appear, neither the ſhip nor the lading thereof ſhall be ſubject to be confiſcated, but it ſhall be free for the proprietors to take back again ſuch goods as were omitted in the entry or declaration of the maſter of the ſhip, paying only the accuſtomed duties according to the rates ſettled in the books; neither ſhall the merchants, or the maſter of the ſhip loſe the ſaid goods, or ſuffer any other puniſhment, if ſo be that the ſaid goods, ſo omitted, were not brought on ſhore before the declaration made, and the cuſtoms paid for the ſame.

ADDITIONAL ARTICLE VII.

And whereas the quality of the ſhip, maſter, and goods, will ſufficiently appear from ſuch paſſports and certificates, it ſhall not be lawful for the commanders of men of war to exact any other verification under any title whatſoever. But if any merchant ſhip ſhall want ſuch paſſports or certificates, then it may be examined by a proper judge, but in ſuch manner as if it ſhall be found from other proofs and documents that it does truly belong to the ſubjects of either of the confederates, and does not contain any prohibited goods, deſigned to be carried to the enemy of the other, it ſhall not be liable to confiſcation, but ſhall be releaſed, together with its cargo, in order to proceed on its voyage; ſince it may often happen that ſuch papers could not come to the ſhip when ſhe was ſetting ſail from any port, or that they have been loſt by ſome chance or other, or that they have been taken away from the ſhip. And if beſides the paſſports and certificates made according to the form of their treaty, other paſſports and certificates happen to be found in the ſhip, in another form, and perhaps according to the preſcription of treaties made with others, no pretence ſhall be taken from thence, of detaining, or in any wiſe moleſting, either the ſhip, or men, or goods. If the maſter of the ſhip named in the paſſports be removed by death, or any other cauſe, and another be put in his place, the paſſports ſhall nevertheleſs retain their force, and the ſhips and goods laden thereon, ſhall be ſecure.

ADDITIONAL

TREATY by Mr. EDEN, 1786.

ARTICLE XLV.

If hereafter it ſhall happen, through inadvertency or otherwiſe, that any infractions or contraventions of the preſent treaty ſhould be committed on either ſide, the friendſhip and good underſtanding ſhall not immediately thereupon be interrupted; but this treaty ſhall ſubſiſt in all its force, and proper remedies ſhall be procured for removing the inconveniences, as likewiſe for the reparation of the contraventions: and if the ſubjects of either kingdom ſhall be found guilty thereof, they only ſhall be puniſhed and ſeverely chaſtiſed.

ARTICLE XLII.

But if it ſhall appear that the captor made uſe of any kind of torture upon the maſter of the ſhip, the crew, or others who ſhall be on board any ſhip belonging to the ſubjects of the other party, in ſuch caſe, not only the ſhip itſelf, together with the perſons, merchandizes, and goods whatſoever, ſhall be forthwith releaſed, without any delay, and ſet entirely free, but alſo ſuch as ſhall be convicted of ſo enormous a crime, together with their accomplices, ſhall ſuffer the moſt ſevere puniſhment ſuitable to their offences: this the King of Great Britain and the moſt Chriſtian King mutually engage ſhall be obſerved, without any reſpect of perſons whatſoever.

ARTICLE VIII.

No merchandize exported from the countries reſpectively under the dominion of their Majeſties, ſhall hereafter be ſubject to be inſpected or confiſcated, under any pretence of fraud or defect in making or working them, or of any other imperfection whatſoever; but abſolute freedom ſhall be allowed to the buyer and ſeller to bargain and fix the price for the ſame, as they ſhall ſee good; any law, ſtatute, edict, proclamation, privilege, grant, or cuſtom to the contrary notwithſtanding.

ARTICLE XII.

And foraſmuch as a certain uſage, not authorized by any law, has formerly obtained in divers parts of Great Britain and France, by which French ſubjects have paid in England a kind of capitation tax, called in the language of that country head-money; and Engliſh ſubjects a like duty in France, called *ardent du chef*; it is agreed that the ſaid impoſt ſhall not be demanded in the future on either ſide, neither under the ancient name, nor under any other name whatſoever.

ARTICLE IX.

Whereas ſeveral kinds of merchandizes, which are uſually contained in caſks, cheſts, or other caſes, and for which the duties are paid by weight, will be exported from and imported into France by Britiſh ſubjects; it is agreed that, in ſuch caſe, the aforeſaid duties ſhall be demanded only according to the real weight of the merchandizes; and the weight of the caſks, cheſts, and other caſes whatever, ſhall be deducted, in the ſame manner as has been and is now practiſed in England.

ARTICLE X.

It is further agreed, that if any miſtake or error ſhall be committed by any maſter of a ſhip, his interpreter or factor, or by others employed by him, in making the entry or declaration of her cargo, neither the ſhip nor the cargo, for ſuch defect, ſhall be ſubject to confiſcation; but it ſhall be lawful for the proprietors to take back again ſuch goods as were omitted in the entry or declaration of the maſter of the ſhip, paying only the accuſtomed duties according to the pancart; provided always that there be no manifeſt appearance of fraud. Neither ſhall the merchants, or the maſters of ſhips, or the merchandize, be ſubject to any penalties by reaſon of ſuch omiſſion, in caſe the goods omitted in the declaration ſhall not have been landed before the declaration has been made.

ARTICLE XXXIII.

And when the quality of the ſhip, goods, and maſter, ſhall ſufficiently appear, from ſuch paſſports and certificates, it ſhall not be lawful for the commanders of men of war to exact any further proof under any pretext whatſoever.—But if any merchantſhip ſhall not be provided with ſuch paſſports, or certificates, then it may be examined by a proper judge, but in ſuch manner as, if it ſhall be found, from other proofs and documents, that it truly belongs to the ſubjects of one of the ſovereigns, and does not contain any contraband goods, deſigned to be carried to the enemy of the other, it ſhall not be liable to confiſcation, but ſhall be releaſed, together with its cargo, in order to proceed on its voyage.

If the maſter of the ſhip named in the paſſports ſhould happen to die, or be removed by any other cauſe, and another put in his place, the ſhips and goods laden thereon ſhall nevertheleſs be equally ſecure, and the paſſports ſhall remain in full force.

ARTICL

TREATY of UTRECHT, 1713.

ADDITIONAL ARTICLE VIII.

further provided on both ſides, and ſhall be taken for a general rule, that a ſhip and although they have remained in the enemies power for four and twenty hours, ſhall refore be eſteemed as capture, and be immediately made a prize; but if on other ac- they ought to be reſtored, they may be reclaimed, and ſhall be given again to the pro- .

ADDITIONAL ARTICLE IX.

all be free for both their Royal Majeſties, for the advantage of their ſubjects trading to gdoms and dominions of the other, to conſtitute national Conſuls of their own ſubjects, hall enjoy that right and liberty which belongs to them by reaſon of the exerciſe of their n; but as to the places where ſuch Conſuls are to be appointed, both ſides ſhall after- agree between themſelves.

In witneſs whereof, we the Ambaſſadors Extraordinary and Plenipotentiaries of her Sacred Royal Majeſty of Great Britain, and of his Sacred Royal moſt Chriſtian Majeſty, have ſubſcribed this preſent inſtrument with our hands, and ſet our ſeals thereunto. At Utrecht the $\frac{31ſt}{11th}$ day of the month of $\frac{March}{April}$ in the year 1713.

(L. S.) Jon. Bristol, C. P. S. (L. S.) Huxelles.
(L. S.) Strafford. (L. S.) Menagoir.

TREATY by Mr. EDEN, 1786.

ARTICLE XXXIV.

It is further provided and agreed, that the ſhips of either of the two nations, retaken by the privateers of the other, ſhall be reſtored to the former owner, if they have not been in the power of the enemy for the ſpace of four and twenty hours; ſubject to the payment, by the ſaid owner, of one-third of the value of the ſhip retaken; and of its cargo, guns and apparel; which third part ſhall be amicably adjuſted by the parties concerned; but if not, and in caſe they ſhould diſagree, they ſhall make application to the officers of the Admiralty of the place where the privateers which retook the captured veſſel, ſhall have carried her.

If the ſhip retaken has been in the power of the enemy above four and twenty hours, it ſhall wholly belong to the privateer which retook her.

In caſe of a ſhip being retaken by any man of war belonging to his Britannic Majeſty, or to his moſt Chriſtian Majeſty, it ſhall be reſtored to the former owner, on payment of the thirtieth part of the value of ſuch ſhip, and of its cargo, guns and apparel, if it was retaken within the four and twenty hours; and the tenth part of it, if it was retaken after the four and twenty hours; which ſums ſhall be diſtributed, as a reward, amongſt the crews of the ſhips which ſhall have retaken ſuch prize.—The valuation of the thirtieth and tenth parts abovementioned ſhall be ſettled conformably to the regulations in the beginning of this article.

Theſe are merely Admiralty Court directions.

ARTICLE XLIII.

Their Majeſties ſhall reſpectively be at liberty, for the advantage of their ſubjects trading to the kingdoms and dominions of either of them, to appoint therein national Conſuls, who ſhall enjoy the right, immunity and liberty belonging to them, by reaſon of their duties and their functions; and places ſhall hereafter be agreed upon where the ſaid Conſuls ſhall be eſtabliſhed, as well as the nature and extent of their functions. The Convention relative to this point ſhall be concluded immediately after the ſignature of the preſent treaty, of which it ſhall be deemed to conſtitute a part.

PART OF ARTICLE VII.

N. B. *As this has no correſpondent article in the Treaty of Utrecht, it is therefore inſerted in this part of the publication.*

" Any additional advantages in navigation or trade, given by the high contracting powers to any other European nation, ſhall be reciprocally allowed to their ſaid ſubjects, without prejudice, however, to the advantages which are received and practiced by England, in conſequence of the convention of 1703, between England and Portugal."

This is the only ſtipulation in favour of Portugal,---and the reader will obſerve, 1ſt. That if the high duties on French wines are reduced to the preſent duties on thoſe of Portugal, the ſubſequent taking off a third of the duty from the latter, will be a feeble, ineffectual relief; and 2d. That the French have ſtipulated in return for this one partial, inadequate reſervation, the moſt entire, complete, and ample reſerve of all excluſive advantages between France and Spain, this very ſame article declaring, that " France reſerves in favour of Spain whatever the 24th article of the Family Compact has ſettled," *which article is as follows:*

TWENTY-FOURTH ARTICLE OF THE FAMILY COMPACT.

" The ſubjects of the high contracting parties ſhall be treated, WITH RESPECT TO COMMERCE AND DUTIES, in each of the two kingdoms in Europe, AS THE PROPER SUBJECTS OF THE COUNTRY IN WHICH THEY LIVE OR RESORT TO, ſo that the Spaniſh flag ſhall enjoy in France the ſame rights and prerogatives as the French flag; and in like manner the French flag ſhall be treated in Spain, with the ſame favour as the Spaniſh flag. The ſubjects of the two monarchies paying THE SAME DUTIES AS SHALL BE PAID BY THE NATIVES, and exportation be equally FREE TO BOTH, and all duties reciprocal."

In witneſs whereof, we the underſigned Commiſſaries and Plenipotentiaries of the King of Great Britain and the moſt Chriſtian King have ſigned the preſent treaty with our hands, and have ſet thereto the ſeals of our arms.

Done at Verſailles, the twenty-ſixth of September, one thouſand ſeven hundred and eighty-ſix.

Wm. Eden, (L. S.)
Gerard de Rayneval. (L. S.)

EXTRACTS from the PETITIONS.

A number of Petitions, to the amount of Forty-ſix, were preſented from the different Counties and Manufacturing Towns, intereſted in the Effects of the Treaty of Utrecht. We have extracted the Subſtance of the Petitions, ſhortly ſtating the material Parts of the reſpective Injuries complained of in each of them. From a Review of theſe, the Reader will be able to collect an Opinion of what were the Feelings of our Anceſtors on the Subject of the Treaty of which Mr. *Eden's* is, as has been already ſufficiently ſhewn, a correct Counterpart, and what were the univerſal Apprehenſions that made their Way through all Parts of the Empire, as to the alarming and deſtructive Effects that would be produced by it, on the commercial Intereſts of this Country.

PETITIONS.

I.

Of the Merchants trading to SPAIN *and* PORTUGAL.

THIS petition ſets forth, "That the trade to Spain and Portugal hath always been beneficial "to this kingdom, by taking off great quantities of Fiſh, Corn, Leather, and all ſorts of "WOOLLEN MANUFACTURES." That "if Spaniſh and Portugal Wines are not imported, the ſhips that carry fiſh to thoſe places, will be obliged to come home dead freighted, "which will diſcourage the fiſh trade, and prejudice navigation. The King of Portugal will "in all probability lay a prohibition againſt our cloth. *That if any alteration be made on the duty "of French wines, the wine of Spain and Portugal may not exceed two-thirds of ſuch duties.*"

II.

PETITION *from the Merchants trading to* ITALY.

This petition ſets forth, "That the Italian trade had always been deemed beneficial to the "kingdom, by taking off yearly, great quantities of Fiſh, Copper, Lead Ore, Tin Lead, "Pepper, WOOLLEN MANUFACTURES, &c. In return of which is received from "Italy about 2,000 tons of wine, and the remainder in uſeful commodities proper for our own "manufactures. *That the admiſſion of French wines* paying the ſame duty as thoſe from Italy, "will be an actual prohibition of the latter. That it will alſo be a diſcouragement to navigation, by reaſon that trade to France will be carried on with ſmall veſſels, who even in proportion to the burthen will ſail with half the men ſhips for the Mediterranean are obliged to carry."

III.

PETITION *of the Bay-makers, &c. of the Borough of* COLCHESTER.

This petition ſets forth, "That the trade to Spain and Portugal had been always beneficial "to that corporation, by taking off great quantities of WOOLLEN GOODS, and particularly "the manufactures of that corporation, in return of which great quantities of wines, and ſpecies of gold and ſilver have been imported.

"That if the duties on the *Spaniſh* and *Portugal* wines be not lowered in proportion to the "*French* wines, it will deſtroy the trade of that corporation, which employs many thouſands "of poor; and *Spain* and *Portugal* finding no vent for their wines with us, will have leſs of our "manufactures, of which the French never took any quantities. And praying that the Houſe "will conſider their caſe before they lower the duties on *French* wines."

IV.

PETITION *of the Bay-makers, and others concerned in the* WOOLLEN MANUFACTURES *in the towns of* WITHAM *and* COGESHALL.

This petition ſets forth, "That the conſumption of the petitioners' manufacture depends on "the trade to *Spain* and *Portugal*. That, if the duties on *French* wines be lowered, it *will ruin "that trade, and bring the petitioners, and* MANY THOUSANDS *depending thereon to want.*"

V.

PETITION *of the Dyers, Packers, Cloth-workers, Setters, and Callendurs of the City of* LONDON, *and other parts adjacent, and many others concerned in the* WOOLLEN MANUFACTURES.

This petition ſets forth, "That if the duties on *French* wines be lowered, it will diſcourage "the *Spaniſh* and *Portugal* trades, and thereby prejudice the WOOLLEN TRADE, in dyeing, "and fully manufacturing of which the petitioners' trade conſiſts, and praying the conſideration "of the Houſe."

VI.

PETITION *of the Mayor, Aldermen, Say-makers, and others concerned in the* WOOLLEN MANUFACTURE *in the Borough of* SUDBURY, *in the County of* SUFFOLK.

This petition ſets forth, "That the trade to *Spain*, *Portugal*, and *Legborn*, has always been "very beneficial to this kingdom, by taking off large quantities of WOOLLEN GOODS, and "particularly the manufacture of this borough; in return of which, great quantities of w "and bullion have been imported. That the petitioners apprehend, that in caſe the w "imported from *Spain*, *Portugal*, and *Legborn*, are not lowered in proportion to thoſe of *Fr* "it will prevent large quantities of their manufactures from being exported to the ſaid pl "*to the ruin of* MANY THOUSAND *families.*"

VII.

PETITION *from the Bay-makers, and others concerned in the* WOOLL MANUFACTURE *in the Towns of* BOCKING, BRAINTREE, DU MOW, *and* STEBBING, *in the County of* ESSEX.

This petition ſets forth, "That the petitioners finding a Bill depending to lower the d "on *French* wines, apprehend it will leſſen the import of wines from *Portugal*, and incap "tate its ſubjects from taking off the WOOLLEN MANUFACTURES of the ſaid tow "they being ſolely exported to *Portugal*, to the *ruin of* MANY THOUSAND *families depe "on the ſame trade.*"

VIII.

PETITION *of the Merchants, and others concerned in the* WOOLLEN M NUFACTURE *in and about the Corporation of* LEEDS, *in behalf of the ſelves and* MANY THOUSANDS *employed therein.*

This petition ſets forth, "That great quantities of their WOOLLEN DRAPERIES "and have been yearly exported to *Portugal* and *Spain*. That the taking off the duty of two "five pounds per ton on *French* wines, will diſcourage the importation of wines from *Port* "and *Spain*, and leſſen the demands of the ſaid WOOLLEN MANUFACTURES."

IX.

PETITION *of the Juſtices of the Peace for the County of* WORCESTE *with the principal Inhabitants of the ſaid County, in behalf of themſelves a* THOUSANDS *of others that have Fruit Trees planted for making Verjui Cyder, and Perry for diſtillation.*

This petition ſets forth, "THAT THE LIQUORS MADE OUT OF THE SA "FRUIT TREES, PRODUCE BY DISTILLING A GOOD AND WHOLESO "FINE BRANDY, NOT ONLY ANSWERING A HOME CONSUMPTION, B "ALSO A FOREIGN EXPORTATION; AND WHICH, WHEN RECTIFIED, A "KEPT TO A GOOD AGE, IS HARDLY KNOWN FROM *French* BRAN "THAT IF THE DUTY ON *French* BRANDY SHOULD BE TAKEN OFF, "WILL PREJUDICE THE PETITIONERS, PUT A STOP TO THE HOME D "TILLING, AND OCCASION THEIR FRUIT, IN A PLENTIFUL YEAR, "ROT ON THE GROUND, FOR WANT OF VENT; AND PRAYING THAT T "SAID DUTY ON *French*, AND OTHER FOREIGN BRANDY MAY BE CON "NUED, THE RUNNING OF IT PREVENTED, AND THE HOME-DISTILL "ENCOURAGED."

X.

PETITION *of the Merchants, Sugar Bakers, and Diſtillers of the City* BRISTOL.

This petition ſets forth, "*That the materials made uſe of for diſtilling brandies in this kingdom "of its own growth, as* PERRY, CYDER, *and* MALT, *or imported from its plantations, as S "*GAR and* MOLASSES, *by the vaſt conſumption whereof, tillage and huſbandry are encouraged, "vigation promoted, and many families employed. That the diſtillery brings in a great revenue to "Crown, every* Cwt. *of molaſſes paying eight ſhillings, and every* Cwt. *of ſugar ten ſhillings, be "cuſtom at importation; Cyder, Perry, and Malt alſo paying a large duty, when diſtilled, above the "exciſe they are charged with. That the Engliſh brandies excel ſome foreign, are equally wholeſome, "but little inferior to French brandies. That the conſuming coarſe ſugars and molaſſes, enables the ſ "bakers to make refined ſugars cheap, and to ſupply foreign markets. That if the uſe of coarſe ſugar "diſcouraged here, they will be exported to foreign markets, there to be refined, and the Crown loſe "cuſtom by drawbacks, and the exciſe alſo they would have paid, had they been diſtilled. That if A "

THE DUTY BE TAKEN OFF FOREIGN BRANDIES, IT WILL DESTROY E DISTILLING TRADE OF GREAT BRITAIN, UNLESS THE DUTIES ON IE BRANDIES BE PROPORTIONALLY ABATED; BOTH WHICH WILL UDICE HER MAJESTY'S REVENUE."

XI.

TION *from the Clothiers of* WITNEY, *and other Places in the County of* OXFORD.

petition sets forth, "That *great quantities of the petitioners' manufactures depend on the trade to and* Portugal. That the lowering the duties on *French* wines, will hinder the expor- of the said manufactures to those places."

XII.

TION *from the* CLOTHIERS, *and others concerned in the Manufactory* edley BROAD CLOTH, *living in the Corporation of* Westbury *and* te. bury, *the Towns of* Broome, Warminster, *and Parts adjacent.*

petition sets forth, "That great quantities of the petitioners' manufactures have been rted to *Portugal* and *Spain*. That the lowering the duty on *French* wines will lessen the rtation o. the said manufactures to those places, more especially the former, there being aty now su. bsisting, that *French* wines shall pay one-third more duty than *Portugal* wines; h is the con. ition whereon our manufactures are admitted into that kingdom."

XIII.

TION *of the Headsmen, Wardens and Assistants of the Trade of* WOR- ED WEAVING, *in the City of* Norwich, *and County of* Norfolk.

petition sets forth, "That the suspending the duty of 25l. per ton on *French* wines, will judicial to the WOOLLEN MANUFACTORY *of the kingdom in general*, and of that nd county in particular; their trade depending on the commerce with *Portugal*, which e unavoidably obstructed by lowering the price of *French*, and consequently hindering nportation of *Portugal* wines."

XIV.

TION *of divers Merchants, and principal Inhabitants, as also several wers, Flax-dressers, Whitsters, Spinsters, Winders, and others concerned in* LINEN MANUFACTURE, *within the several Towns of* Preston, on, Penwertham, Cuerden, Brindle, Clayton, *and* Leyland, *in the ty Palatine of* Lancaster, *on behalf of themselves, and many others employ- the said Manufacture.*

petition sers forth, "That *the* LINEN MANUFACTURE *is so considerable a branch of hat it employs in that county* SIXTY THOUSAND *persons, to the great advantage thereof; aying that such duties be laid, and continued upon foreign linen cloth imported, as may give due agement to the British linen manufacture.*"

XV.

TION *from the Mayor, Aldermen, and Burgesses, together with the Serge- ers, Fullers, and other Inhabitants of the Borough and Town of* Taunton.

petition sets forth, "That, that town, and the parts adjacent, have received conside- advantages by the exportation of the WOOLLEN MANUFACTORY to *Portugal*. if that trade should be discouraged, it will ruin the petitioners, and MANY THOU- D FAMILIES.

XVI.

TION *from the* CLOTHIERS, &c. *in the County of* GLOUCES- TER.

petition sets forth, "That the petitioners are apprehensive that several articles con- d in the Treaty of Navigation and Commerce, may be fatal to the WOOLLEN MA- FACTURES. That the chief markets for their are *Spain, Portugal*, and *Italy*: that he near alliance, and strict friendship, between the Crowns of *France* and *Spain, France* lready gained great advantages, and become a rival to England in the most valuable of our WOOLLEN MANUFACTURES, so as, in all probability, they will not want, e any more of our fine cloths, which makes it unreasonable that favour should be n to the product of *France*, in prejudice to the commodities of other countries, that from us such great quantities of our WOOLLEN MANUFACTURES, and who will o longer able to do so, when *French* wines are so lowered as to supply the demands of nd. THAT IF ANY ALTERATION IN THE LAWS SHOULD HAPPEN IN E EXPORTATION OF OUR WOOLLEN MANUFACTURES UNTO FOREIGN TS, A GREAT PART OF THE NATION'S RICHES WOULD BE LOST, THE R WOULD DAILY ENCREASE AND BECOME CHARGEABLE TO THEIR ISHES, AND THE VALUE OF LANDS IN ENGLAND MUST OF NECESSI- SINK TO A VERY GREAT DEGREE."

XVII.

TION *from the Bailiffs, Wardens, Assistants, and Commonalty of the ade, Art, and Mystery of Weavers, on behalf of themselves and Trade in City of* LONDON.

N. B. The contents of the above petition, so far as they respect SILK, are not applica- ble to any stipulation made in Mr. EDEN's Treaty. It concludes, however, with praying that the Treaty may not "lessen the consumption of our WOOL, and lower "the value of lands; and praying the consideration of the House, and that WOOL- "LEN MANUFACTURES may not lie under too great discouragement, by rea- "son of the said commerce."

XVIII.

PETITION *of the Master, Warden, and Assistants of the Corporation of Silk-Weavers in the City of* CANTERBURY.

N. B. We refer to this petition as being in the general number of those presented on the occasion of the Utrecht Treaty. The complaint, however, is grounded exclusively upon the article of SILK, which we do not wish to represent, as being touched upon by Mr. EDEN's Treaty.

XIX.

PETITION *of the Makers of* ENGLISH BRANDY, *and* VINEGAR *from malted Corn, and also of the Makers of Brandy from Sugar and Molasses, the Produce of her Majesty's Plantations, in and about the Cities of* LONDON *and* WESTMINSTER.

This Petition sets forth, "That since the encouraging the consumption of malted corn, and "and the materials, the produce of his Majesty's plantations, the petitioners have erected ma- "ny works for that purpose, and have consumed great quantities. That there hath been great "quantities of foreign brandies clandestinely imported, to the prejudice of her Majesty's re- "venue, and the petitioners trade: and praying, That the introduction of foreign brandies "may be prevented, and the duties of our own materials lessened, answerable to the duty on "such foreign brandies."

XX.

PETITION *of the Mayor, capital Burgesses, and Assistants, together with the Gentlemen, Freeholders, Clothiers, Serge-makers, Fullers, and other Labourers in the* WOOLLEN MANUFACTURES *in the Borough of* TIVERTON.

This petition sets forth, "That since the WOOLLEN MANUFACTURES of *Great Britain* "have been admitted into the kingdom of *Portugal*, considerable advantages have accrued to "this town and the adjacent parts: that if the exporting our WOOLLEN MANUFAC- "TURES should be hindered, it would prejudice the petitioners. And praying that encou- "ragement may be given to the trade of *Great Britain* with the kingdom of *Portugal*."

XXI.

PETITION *from the Governor and Company of Merchants of England, trading to the* LEVANT *Seas.*

This petition sets forth, "That if the present duties on *French* wrought silks be lessened, so "as to interfere with the silk manufactures of this kingdom, they must be prejudiced thereby, "which will also affect the exportation of the WOOLLEN MANUFACTURES, and other "productions of *Great Britain* to *Turkey*, since the returns are more than two-thirds in raw "silk: that the Company formerly exported great quantities of *Turkey* goods from *England* to "the west parts of *France*, and had also privilege to export goods from *Turkey* into *France*, "which was an advantageous trade, till prohibited by the French King: and praying that "such encouragement may be given to the silk manufactures of this kingdom, as may enable "the petitioners to support the trade to *Turkey*, in opposition to *France*; and that the privileges "enjoyed by those who imported *Turkey* goods into *France*, may be restored upon the Tariff of "1664."

XXII.

PETITION *from the Master, Wardens, and Assistants of the Incorporate Company of Clothiers in the City of* WORCESTER.

This petition sets forth, "That if the present duties on French wrought silks be lessened, "it will be of evil consequence to the cloathing trade of this nation, but more particularly to "the clothing trade of this city, by reason *Worcester* white cloths are chiefly sent to *Turkey*. "That if due care be not taken to encourage the bringing in raw silks to *Great Britain* as "cheap as to other nations, the petitioners' trade must, of necessity, be ruined, and *English* "wool sink much in its value, and MANY THOUSANDS *of poor manufacturers be undone.*"

XXIII.

PETITION *of the Clothiers concerned in the* WOOLLEN MANUFAC- TURE *of* Troubridge, *and the adjacent Villages, of* Froome, *and adjacent Villages, and of* Bradford.

This petition sets forth, "That by a Treaty of Commerce between England and Portugal, "the duties in England are to be one-third higher upon the wines of *France* than those of *Por-* "*tugal*; and that such duties are paid only on the WOOLLEN MANUFACTURE of *Great* "*Britain* in that country: that great quantities of goods are yearly exported and sold there, "much more than the value of the wines, oils, &c. imported thence, by which means MANY "THOUSAND FAMILIES are maintained, and a great balance coming yearly to this king- "dom. And that by a law to reduce the duties upon French wines, &c. of *France*, as low as "those of *Portugal*, or any nation, might induce *Portugal* to prohibit, or lay a high duty on the "*woollen manufactures* of *Great Britain* to the utter ruin of that trade. That the subjects of his "most Christian Majesty are now arrived to a great perfection in the *woollen manufactures*, so "that they pretend, they make as good of every sort in *France* as is made in *Great Britain*. "THAT THE FINEST CLOTH IS MADE ENTIRELY OF SPANISH WOOL, "WITHOUT MIXTURE OF ENGLISH WOOL, AND THE FRENCH, BY THE "OPPORTUNITIES OF CARRIAGE BY *Longuire, Agreda, and* OTHER INLAND "PASSAGES OF SPAIN, MAY AVOID PAYING THE CUSTOMS; BY WHICH "MEANS THEY ARE LIKELY TO HAVE THEIR SPANISH WOOL CHEAPER "THAN HER MAJESTY'S SUBJECTS: THAT THE SUBJECTS OF *France* HAVE, "OF LATE YEARS, CONVERTED VAST TRACTS OF LANDS TO SHEEP-WALKS, "AND BEING SUPPLIED BY THE OWLING TRADE WITH OUR WOOL, WOOL "IS AT A LOW PRICE IN *France*, AND THEIR MATERIALS CHEAP FOR ALL "PARTS OF THE WOOLLEN MANUFACTURE: THAT THE HIRE OF ALL "SORTS OF LABOUR IS NOT ABOVE TWO-THIRDS OF THE PRICE THAT IS "GIVEN IN *Great Britain*. THE PETITIONERS ARE OF OPINION, THAT "THOUGH COARSE WOOL WERE AS DEAR AGAIN IN *France* AS IN *Great Britain*, "YET BY THE LOW WAGES GIVEN IN *France*, WITH THEIR ADVANTAGE "IN THE PRICE OF OIL, SOAP, AND DYEING GOODS, THE WHOLE MANU-

 "FACTURE

" FACTURE WOULD BE CHEAPER THERE THAN IN *Great Britain*; AND THAT " LITTLE OR NO QUANTITY WOULD BE EXPORTED HENCE, OR SOLD THERE, " THOUGH THE DUTIES OF 55 LIVRES 10 SOLS WERE TAKEN OFF, AND THE " SAME ALLOWED TO BE SOLD IN EVERY PART OF *France*, SUBJECT NEI- " THER TO CUSTOMS OR VISITATION: AND BY NOT PASSING SUCH A " LAW AS AFORESAID, THE TREATY WITH *Portugal* MAY STILL SUBSIST, " WHEN PASSING, IT MAY ENDANGER THE PETITIONERS' TRADE, WITH " THE LOSS OF THE EXPORTS OF THE WOOLLEN MANUFACTURES THERE, " WITHOUT GAINING AN EQUIVALENT, AND AT LAST BE THE RUIN OF " THE PETITIONERS, AND MANY THOUSAND FAMILIES, MAINTAINED BY " THE SAME, AND THE EXPORTS TO *Portugal*."

XXIV.

PETITION *of the* Spaniſh, Italian, *and* Portugal *Merchants, Exporters of the* WOOLLEN MANUFACTURE, *and Product of* Great Britain.

This petition ſets forth, " That whereas a bill is depending for making effectual the 8th " and 9th articles of the Treaty of Navigation and Commerce between *Great Britain* and " France, whereby the petitioners apprehend the trade of this nation will be much leſſened, " to the great detriment of this kingdom; they pray relief, &c.

XXV.

PETITION *of the Clothiers and Baymakers of* Bocking, Braintree, *and* Dunmow, *in the County of* Eſſex, *in behalf of themſelves and* MANY THOUSANDS *more concerned in the ſaid manufacture.*

This petition ſets forth, " That the making of Bays, and other WOOLLEN MANU- " FACTURES, are of great advantage, not only to the petitioners, but to the whole king- " dom in general, by the conſumption of great quantities of wool, and the employment of " MANY THOUSAND *Perſons, who otherwiſe would become an uſeleſs burthen to the country*: " That the preſent inequality of the duties on wines of the growth of *France*, and thoſe of " *Portugal*, is a great inducement to the *Portugueſe* to take off the ſaid manufactures from *En-* " *gland*, whilſt we take off the product of their country from them. That ſhould the duties " on the commodities of the product of *France*, be ſettled upon an equality with thoſe of *Por-* " *tugal*, it would be a great diſcouragement, if not a total prohibition of the importing of the " wines of *Portugal*, and oblige the *Portugueſe* to lay heavy duties on our manufactures, and " thereby prohibit the importing them into their country, by which means the petitioners at- " tribute the preſent fall and depreciating thoſe commodities."

XXVI.

PETITION *from the Merchants, Sugar-Bakers, and Diſtillers, of and in the Borough and Corporation of* Liverpool, *in the County Palatine of* LANCASTER, in behalf of themſelves and others.

This petition ſets forth, " THAT IF THE DUTIES ON FRENCH AND OTHER " FOREIGN BRANDY BE TAKEN OFF, IT WILL BE OF GREAT PREJUDICE " TO HER MAJESTY'S PLANTATIONS, AND DISCOURAGE NAVIGATION, " AND GREATLY LESSEN THE DISTILLING SUGAR, MOLASSES, AND BRI- " TISH CORN: AND PRAYING THE CONSIDERATION OF THE HOUSE, THAT " THE DUTIES ON *French* AND FOREIGN BRANDY MAY BE CONTINUED; " WHICH WILL TEND VERY MUCH TO THE ENCOURAGEMENT OF HER " MAJESTY'S PLANTATIONS, AND NAVIGATION; AND GREATLY EN- " CREASE THE CONSUMPTION OF SUGAR, &c. IN DISTILLING BRANDY OR " SPIRITS AT HOME."

XXVII.

PETITION *from the ſeveral Clothiers, and Manufacturers of* WOOLLEN CLOTH *in the County of* GLOUCESTER, in behalf of themſelves and the reſt of the Clothiers and Manufacturers of the ſaid County.

This petition ſets forth, " That a Treaty of Navigation and Commerce having been lately " publiſhed between her Majeſty and the French King, ſeveral articles therein may be very " prejudicial to the WOOLLEN MANUFACTURES of this kingdom, and in particular to " the petitioners: That if the high duties laid in 1699 on our *Woollen Manufactures* exported " into *France* ſhould remain, the petitioners would be very much diſcouraged, thoſe duties " amounting to a prohibition: That the exportation of our WOOLLEN MANUFAC- " TURES to *Portugal*, *Spain*, and *Italy*, is of late very much increaſed; but fear will be ex- " ceedingly leſſened, if not loſt, ſhould the duties on *French* wines be reduced to an equality " with thoſe of the aforeſaid places, apprehending it may be the means of raiſing the duties of " our manufactures there, or cauſe an entire prohibition: That by the alliance between the " crowns of *France* and *Spain*, *France* hath gained greater advantages in trade than formerly " they had; for thereby they import *Spaniſh* wool on better terms than the ſubjects of this " kingdom, and export *Spaniſh* and other cloths to *Turkey* in greater quantities than formerly; " and import as the produce thereof, raw ſilk, which they manufacture in *France*; which if " permitted to import their raw ſilks into *England*, under eaſy duties, will prove very de- " ſtructive to the *Turkey* trade, which takes off the greateſt part of our cloths, and is the moſt " beneficial trade belonging to the WOOLLEN MANUFACTURES, and thereby MANY " THOUSAND poor families have and may be maintained, which otherwiſe *muſt become a bur-* " *then to their reſpective pariſhes, and will conſequently ſink the value of lands of* England *to a great de-* " *gree*, and leſſen the price of wool."

XXVIII.

PETITION *of the Merchants trading to* Italy, *and the Traders in Raw Silk.*

This petition ſets forth, " That the ſilk manufacture of *England* being ſo well increaſed, " is of great advantage to theſe nations, not only in employing ſo MANY THOUSAND FA- " MILIES, but alſo by the large exportations of our *Woollen* MANUFACTURES into *Italy*, " and other parts of the *Mediterranean*, in lieu of which, raw and thrown ſilk is imported; " there being ſuch a dependance between the ſilk and woollen manufactures, that the one " cannot ſubſiſt without the other. That the importation of foreign wrought ſilks, without " paying her Majeſty's cuſtoms, is very prejudicial to the Queen's revenues, and the fair " trader; and if not prevented, of great detriment to the ſilk manufacture; and praying the " manufacture may be encouraged by ſuch further duties on all wrought ſilks, to preve[nt] " fraudulent importation of the ſame."

XXIX.

PETITION *of the Say-Makers, and Clothiers of* South Halſted *and* C[olchester] Hedingham, *in the County of* ESSEX, in behalf of themſelves, MANY THOUSANDS concerned in the ſame manufacture.

This petition ſets forth, " That the petitioners whole dependance is on the *Woollen* [manu-] " *facture*, in the making of *Says*, and being informed a bill is about to be brought into " honourable Houſe for rendering effectual the 8th and 9th articles of the Treaty of [Com-] " merce with *France*, that the petitioners apprehend, that if the duties on all *French* com- " dities are lowered to an equality with thoſe on the goods of other nations, the great ex- " of the ſaid manufacture to *Spain*, and other counties of *Europe*, and the conſumption th[ereof] " will be greatly leſſened, and the petitioners, their families, and workfolks thereby i[mpo-] " veriſhed."

XXX.

PETITION *of the Mayor, Aldermen, and Common Council of the Ci[ty of] EXON, and of the Merchants, and other Traders in the* WOOLLEN M[A-] NUFACTURE.

This petition ſets forth, " That the petioners are under apprehenſion, that any obſtru[ction] " to the exportation of the WOOLLEN MANUFACTURES of this kingdom to *Portu[gal]* " place where there redounds ſuch conſiderable benefits, may greatly endanger the loſs th[ereof] " *tend to the ruin of the petitioners, and greatly encreaſe the poor.*"

XXXI.

PETITION *of the Mayor, Aldermen, Say-makes, and Bay-makers of the Bo[rough] of* Sudbury, *in the County of* SUFFOLK, *in behalf of themſelves and* MA[NY] THOUSANDS *more employed in the ſaid Manufactures.*

This Petition ſets forth, " That whilſt the *Portugueſe* and *Italian* trades were encouraged " their wines ſubjected to leſs duties than thoſe of *France*, they conſtantly have taken off " quantities of *ſays* and *bays*; but upon an apprehenſion that the ſaid duties on *French* w[ines] " will be reduced as low as thoſe of other countries in Europe, great quantities of the " manufactures have been left in the petitioners hands, *the merchants refuſing to buy them,* " *apprehenſion they ſhall not export them into* Portugal, Italy, &c. *upon reaſonable terms, whilſt* " *wines are under ſuch diſcouragements.* That the *Italian* and *Portugal* trade takes off large qu[anti-] " ties of our WOOLLEN MANUFACTURES, which greatly redounds to the honou[r] " and advantage of this nation in the conſumption of their WOOL, and the employme[nt of] " MANY THOUSANDS of poor, and the encreaſe of navigation, and may be put up[on] " eaſier foot than any of the *French*, WHO ARE SO FAR FROM TAKING OFF AN[Y] " OUR WOOLLEN MANUFACTURES, THAT THEY HAVE SET UP ALL KI[NDS] " OF WOOLLEN MANUFACTURES AT HOME. And praying the *Portugal* and [*Italian*] " trade may be continued on ſuch foot as may encourage them to take off the ſaid manufa[ctures] " and *diſappoint* France."

XXXII.

PETITION *of the Maſter, Warden, and Court of Aſſiſtants, of the Compa[ny] of Gold and Silver Wire Drawers.*

This petition ſets forth, " That the manufacture of gilt and ſilver wire, of various k[inds] " hath been of great advantage to the nation, in relief of numerous families, and great re[-] " made in pieces of eight, gold duſt, &c. imported, being the produce of thoſe quantities " beyond ſea: That the petitioners, ſince the late impoſition thereon, ſtruggle under " difficulties; the merchants that uſually bought here, being now ſupplied from *France*, *H[olland]* " &c. at cheaper rates; and ſeveral quantities of gold and ſilver thread have clandeſtinely " imported, as is evident from the late ſeizures made thereof. That by a clauſe in th[e act] " paſſed laſt Seſſion of Parliament, for laying a duty on gilt and ſilver wire, no gold or ſ[ilver] " thread, lace or fringe, or other work made thereof, was to be imported or brought " *Great Britain*, during the continuance of the ſaid duties, which prohibition, if taken off " Bill now depending in this Houſe, *will deprive the petitioners of great part of their trade, an[d] are* " *to the ruin of many families.*"

XXXIII.

PETITION *of the Maſter, Wardens, Aſſiſtants, and Commonalty of Silk Th[row-] ſters,* LONDON, *on behalf of themſelves, and the Poor they employ.*

This petition adverts to the intimate connection between the ſilk and woollen manufac[tures] and the danger that may ariſe from the clandeſtine importation of raw ſilk. It ſtates th[at the] trade of ſilk throwing gives bread to upwards of 40,000 perſons.

XXXIV.

PETITION *of the Wardens, Aſſiſtants, and Commonalty of the Art and My[ſtery] of Dyers,* LONDON.

This petition ſets forth, " That by the 8th and 9th Article of the Treaty of Commerce " Navigation between *Great Britain* and *France*, the petitioners apprehend, that if the im[por-] " tation of the manufactures of *France* into *Great Britain* are admitted to the prejudice o[f the] " ſilk and WOOLLEN MANUFACTURES, it will be very deſtructive to the petitio[ners] " and others concerned in the dyeing trade, it being very beneficial to this kingdom, by e[m-] " ploying MANY THOUSAND FAMILIES."

XXXV.

PETITION *of the Dyers, Cloth-workers, Packers, Calendars, Setters, [and] others concerned in the* WOOLLEN MANUFACTURES, *in behalf of th[em-] ſelves and* MANY THOUSAND *others living in and about the Cit[y of] LONDON.*

This petition ſets forth, " That great quantities of the WOOLLEN MANUFACTURE[S] " this kingdom have been annually exported to *Portugal*, *Italy*, *Turkey*, the *Levant*, and *[other]*

ne of peace. That it is notorious that the encouragement of late years, to the import- to these kingdoms the product of those countries, upon easier terms than goods of the kind were suffered to be imported from *France*, has enabled them in return to take off quantities of our manufactures, which hereafter THEY CANNOT DO, SHOULD DUTIES ON THE GOODS AND MERCHANDIZES BROUGHT FROM BE REDUCED EQUAL WITH THE DUTIES ON GOODS, &c. OF LIKE D, IMPORTED FROM OTHER COUNTRIES; and should all the prohibitions on andizes brought from thence, *imposed since* 1664, BE REPEALED. That *French* com- ies have been too much preferred here to the like of other countries, where they were gher rates; and if cheaper, will prejudice the importation of other wines. THAT ULD THE *French* OBTAIN THE LOWERING OF DUTIES, AND REPEAL THE PROHIBITIONS ON THEIR GOODS AND MERCHANDIZES, THEY L ENGROSS THE RAW SILKS AND DYEING WARES FROM *Turkey* AND AND SUPPLY THOSE FOREIGN MARKETS WITH THEIR WOOLLEN NUFACTURES, WHICH FORMERLY WERE ONLY SUPPLIED FROM *Great in*, TO THE RUIN OF THE SAID MANUFACTURES. And praying this e to continue and encourage them in this kingdom, on such a foot as may enable them pply the *Portuguese*, *Spaniards*, &c. with the manufactures of this kingdom, and advan- ous to *Great Britain*."

XXXVI.

ITION *of the Stuff-makers and Clothiers, &c. within the City of* BRIS- OL, *on behalf of themselves and* MANY THOUSANDS *employed in the* OOLLEN MANUFACTURE.

petitson sets forth, "That for some time past the petitioners have not had sale for r goods, which has occasioned THOUSANDS of their poor to want employ, to the t increase of the poor rates, and praying relief, and that the *Spanish* and *Portugal* trade not be discouraged."

XXXVII.

PETITION *of the Clothiers of* NEW SARUM.

petition sets forth, "That THOUSANDS of FAMILIES are wholly supported by WOOLLEN MANUFACTURES, and that unless due care be taken for the exporta- thereof to *Spain* and *Portugal*, they *must rely on the poor's rate for subsistence*: And praying exportation thereof to *Spain* and *Portugal* may be promoted.

XXXVIII.

TION *of the Linen Weavers, Spinners, Dressers, and others, concerned in* LINEN MANUFACTURES, *within the several towns, parishes, and incts of* Yeovil, Wincaunton, Milbourn Port, South Petherton, Queen nel, Cadbury, Gallington, Castle Cary, Brewton, Horsington, Tem- Comb, Maperton, *and several other places in the County of* SOMERSET; *also of* Shafton, Gillingham, Metcoombe, Boorton, Stour, Marnhull, *several other places in the County of* DORSET; *and also of* Meers and erels, *and several other places in the County of* WILTS; *and also of* rdingbridge, *and* Ringwood, *and several other places in the County of* UTHAMPTON, *in behalf of themselves, and several other persons be- ging to the said* Linen Trade.

petition sets forth, "That THOUSANDS of FAMILIES wholly depend upon the EN MANUFACTURE: but *should the duty on* French *linen be lowered*, as the petitioners informed, IT WILL TOTALLY RUIN THEIR TRADE, AND REDUCE THEM POVERTY. And prays that such a duty may be continued on *French* linens as may ble them to carry on their trade."

XXXIX.

ITION *of the inhabitants of the Town and Borough of* Cirencester, *in County of* GLOUCESTER, *concerned in the* WOOLLEN MANU- CTORY, *on behalf of themselves, and* MANY THOUSAND *others in parts adjacent.*

petition sets forth, "That the WOOLLEN MANUFACTURE is the chief employ- nt of this town and county, whereby they have been able to pay their taxes during a g war; and is of great advantage to this nation in general; and SHOULD THE DU- ES ON *French* WINES BE REDUCED TO AN EQUALITY WITH THOSE OF *in*, *Portugal*, and *Italy*, IT WOULD HIGHLY PREJUDICE THE PETITIONERS' ADE TO THOSE COUNTRIES, WHO TAKE OFF GREAT QUANTITIES OF EIR WOOLLEN GOODS, in lieu of which they have great sums of money, wines, other commodities: And prays their case may be taken into consideration, and the OOLLEN MANUFACTORY encouraged."

XL.

TITION *of the Merchants trading to the Plantations, and to* Spain *and* Por- gal; *and of the Masters and Owners of Ships employed in the said trades, in d about* WHITEHAVEN.

is petition sets forth, "That if the duties on *French* growths, and manufactures, be equa- ed with those of *Spain* and *Portugal*, the WOOLLEN MANUFACTURES of this gdom, ON WHICH THE LANDED INTEREST DEPENDS, must greatly suffer: d prays their interests, with the kingdom's, may be considered, by such provisions for tling import duties from foreign nations, as may encourage those trades which are neces- y for the support of the petitioners."

XLI.

PETITION *of the Merchants and Traders of* BRISTOL.

This petition sets forth, "That since the prohibition of trade between *England* and *France*, "the *English* are much improved in the silk manufacture, and the *French* in the WOOL- "LEN, SO THAT IN CASE OF AN OPEN TRADE, THE *French* WILL SUPPLY "THIS KINGDOM WITH SILKEN AND OTHER GOODS, TO THE PREJUDICE "OF OUR HOME MANUFACTURES, WITHOUT TAKING ANY OF OURS; "ALSO IMPORT THEIR WINES CHEAPER THAN *Spain*, *Portugal*, or *Italy*, TO "THE DESTRUCTION OF THE TRADE OF THOSE KINGDOMS, AND LOSS "OF TRADE TO THE PETITIONERS, TO THEIR RUIN: And prays these mat- "ters may be considered, that if trade be opened with *France*, it may be on such terms as "not to discourage all others."

XLII.

PETITION *of several Merchants, principal Traders, Masters, and great Numbers of Workmen, belonging to the Trade and Manufacture of* STOCKING FRAME-WORK-KNITTING, *in behalf of themselves, and* SEVERAL THOUSANDS *in the Town of* NOTTINGHAM, *and Places adjacent.*

This petition sets forth, "That the discouragement to the trade of *Portugal* is a great decay "to the petitioners' trade, and of evil consequence, by reason they take off great part of their "manufactures; *a decay of which trade will tend to the utter ruin of* THOUSANDS OF FA- "MILIES, who will become burthensome to the parishes they now live in; and prays the "consideraiton of the House thereon, and that the said trade and manufacture may be encou- "raged."

XLIII.

PETITION *of the Mayor and Burgesses of the ancient Borough of* Wilton, *in the County of* WILTS.

This petition sets forth, "That great numbers of persons are wholly supported by the "WOOLLEN MANUFACTURES, *which otherwise must rely on the poor rates for subsistence*; "and prays, that care may be taken for the exportation thereof to *Spain* and *Portugal*."

XLIV.

PETITION *of the Mayor and Commonalty of the Borough of* Plymouth, *in the County of* DEVON, *and of the Clothiers, Weavers, and others concerned in the working up the* WOOLLEN MANUFACTURES, *living in* Plymouth *aforesaid, and Places adjacent.*

This petition sets forth, "That the saids towns, and parts adjacent, have reaped great ad- "vantages by the vast quantities of WOOLLEN MANUFACTURES, which are yearly "shipped shipped off for *Portugal*, which if discouraged, will be a great detriment to all con- "cerned therein, and greatly encrease the poor; and prays, the trade between *Great Britain* "and *Portugal* may be encourged."

XLV.

PETITION *of the Mayor, Aldermen, Merchants, Sugar-Bakers, Distillers, and other Tradesmen, in the City of* CHESTER.

This petition sets forth, "THAT BY THE HIGH DUTIES ON FOREIGN BRAN- "DIES, THE REFINING OF SUGARS, AND DISTILLING OF SPIRITS FROM "CORN OF THE GROWTH OF *Great Britain*, HATH, OF LATE, BEEN MUCH "ENCOURAGED; BUT IF THE PRESENT DUTIES ON FOREIGN BRANDY "BE TAKEN OFF, AND NOT A PROPORTIONABLE ABATEMENT OF THE "DUTIES ON HOME-MADE BRANDIES, THE PETITIONERS FEAR THE SAID "TRADE, SO BENEFICIAL TO THESE KINGDOMS, WILL BE LOST; and prays "the present duties on foreign brandies may be continued, or the duties on home-made bran- "dies proportionably abated."

XLVI.

PETITION *of the Merchants of* LONDON, *Exporters of the* WOOLLEN MANUFACTURES, *to* Hamburgh *and* Bremen, *and Importers of* LI- NEN *from thence.*

This petition sets forth, "That the exportation of the WOOLLEN MANUFACTURES "of this kingdom to *Hamburgh* and *Bremen*, hath, since the high duties laid on *French* linens, "much encreased by the encouraging the importation of *German* linens in lieu of them, which "should the bill to make effectual the 8th and 9th articles pass, would be much lessened, "AND IF *French* LINEN PAY NO HIGHER DUTIES THAN THAT OF THE "COUNTRY MOST FAVOURED, WILL BE OFFERED CHEAPER, AND ES- "TEEMED FAR BETTER, and much decrease the importation of *German* linen, AND "HINDER THE VAST QUANTITIES OF WOOLLEN MANUFACTURES ANNU- "ALLY EXPORTED THITHER, AND THE HANDS NOW EMPLOYED IN THE "*linen*, WILL THEN BE EMPLOYED IN THE *woollen manufactures*, ALREADY SET "UP IN SOME PLACES IN GERMANY. And prays, THE DAMAGE IT MAY "BE TO THE PROPRIETORS, AND TO THE NATION IN GENERAL, MAY BE "CONSIDERED."

NARRATIVE

OF THE

MERCANTILE AND PARLIAMENTARY PROCEEDINGS

ON THE

COMMERCIAL TREATY OF UTRECHT, IN THE YEAR 1713.

WHEN the Treaty of Commerce with France came to be known, it excited a univerſal ferment throughout the nation; the moſt m
terial parts being judged wholly detrimental to the trade of Great Britain, but more particularly the Eighth and Ninth Articles,
which it was provided, firſt, that the ſubjects of both nations ſhould trade on an equal footing; next, that, previous to the commencem
of that equality, laws ſhould paſs in Great Britain, to repeal all the prohibitory duties on French commodities and manufactures. N
the balance of trade having long inclined to the ſide of France, theſe prohibitory duties had been laid on all productions of that kingd
expreſsly to counterpoiſe the natural advantages which the French traders derived, as well from the ſuperior cheapneſs of their mater
and proviſions, as from the lower price of their labour. It was the opinion, therefore, of our merchants, and of thoſe beſt acquain
with commerce, that the new ſyſtem would have entirely deſtroyed our trade with Spain and Portugal; becauſe neither of thoſe nati
could receive the commodities of Britain, but in exchange for the wines of their *growth; while on the contrary, by our lowering the du*
on thoſe of France, it was equally evident that the trade of that country would as rapidly encreaſe, both from the contiguity of the t
countries, and the partiality for the French wines, which of courſe would ſo powerfully have encouraged their importation, that few or n
of any other kind would have been brought into this kingdom. Add to this alſo, a ſtill more extenſive evil, namely, that ſuch vaſt qu
tities of brandy muſt have been imported from every part of France, *as would have totally deſtroyed our home diſtilleries, and conſequen*
the conſumption of the variety of articles entirely depending thereon. And all theſe violent changes, it was ſaid, would have proved dou
pernicious to the nation, as tending not only to ruin our own factories, and thoſe of our natural allies, but at the ſame time to encourage a
eſtabliſh thoſe of our inveterate enemies. Thus Marſeilles, *and other cities on the Mediterranean coaſt of France, by reaſon of their co*
modious ſituation, would have imported from Italy, oil in abundance, for their woollen manufactures; and as they could alſo have ſuppl
thoſe countries with fiſh, after that trade had been loſt to Great Britain, they would, by thoſe means, have engroſſed to themſelves all th
raw *ſilks, and thence have carried from this nation their Turkey and Levant trade. Nor was it leſs the general ſenſe of the public, that t*
raſh and ill-adviſed project, would have equally affected the beſt reſources of BRITISH NAVIGATION, *as ſurrendering to France*
whole of the fiſhing trade, which by employing ſhips of burthen, and many hands in the voyages to Newfoundland, to Spain, Portugal, I
ly, and the Levant, had proved a conſtant nurſery for ſeamen; while, on the contrary, the trade between Great Britain and France, wo
have been carried on with barks, and other veſſels of the ſmalleſt burthen.

" *Theſe things came to be ſo generally well underſtood, that even while flattering Addreſſes were coming to Court from all parts of*
" *iſland, Petitions came from the towns and counties concerned in trade; ſetting forth the prejudice they apprehended from this Treaty of Co*
" *merce.* The Miniſters uſed all poſſible arts to bear this clamour down: THEY CALLED IT FACTION, and denied
" with a boldneſs that would have ſurprized any, but thoſe who had obſerved the methods they had taken for many years, to v
" the fouleſt calumnies, and the falſeſt miſrepreſentations poſſible; but the matter came to be ſo univerſally apprehended that
" could not be diſguiſed."

The affairs of commerce being ſettled under all theſe diſadvantages, employed the thoughts, and excited the apprehenſions of all ranks of p
ple; and ſo much was objected againſt the Treaty, that the Queen could not avoid laying it before Parliament, the meeting of which w
however purpoſely protracted, in order to bring the matter forward with as few lights as poſſible, and to hurry it through the Houſe with
convenient ſpeed. Accordingly, on the firſt motion being made to bring in a Bill to make good the eighth and ninth articles of the Treaty
Commerce, which were the moſt obnoxious to the trading part of the nation, and the moſt objected to by ſome of the members, it was carr
by a very great majority, *notwithſtanding the declared averſion of the nation to the whole of the ſyſtem, and the ſtrongeſt arguments aga*
its introduction, from many of the beſt informed, and of the ableſt men in the Houſe. Amongſt them, Mr. Nathaniel Gould, *form*
Governor of the Bank, affirmed, that, as France had, ſince the Revolution, encouraged woollen manufactures, ſhe could ſupply her o
conſumption; but that in many of the trades to which the Engliſh had applied of late, ſuch as paper, various ſtuffs, *and* many artic
of furniture, *they would now import them into England, and underſell us in our own markets, to the utter ruin of an infinite number*
our artificers. And Sir Joſeph Jekyl *uſed theſe remarkable words, That* " *Portugal* was our proper ally, being, by rooted enmity
" Spain, the fixed friend to England; by hatred to the tyranny ſhe had thrown off, bound in amity to the land of liberty, th
" afforded her protection. But if by any means we ſhould diſcontinue to take her wines, it would be impoſſible for her to trade
" our woollens, which of courſe would throw her into the power of the French, whoſe contiguity would render freight, &
" cheaper."

* Vide Burnet's Hiſtory of his own Time, Vol. II. Page 620.

B

t the Members who voted for the Bill were moſt of them unacquainted with the affairs of Commerce, and wholly bent on ſupporting heme of the Miniſters. Before, however the Bill could paſs, Petitions were ſent from all the trading towns, and moſt of the trading anies of the City of London againſt it, and among others, the Merchants who traded to Turkey, and thoſe alſo concerned in the foundland and Mediterranean trades, being very earneſt to have their reaſons againſt the Bill made known to the whole Houſe, the ipal perſons, in their branches of commerce, were accordingly examined, and made it evident, by invincible reaſons, that this y would be deſtructive to the trade, and ruinous to the manufactures of Great Britain. However, the Court party endeavoured to ex- te things as much as poſſible, eſpecially Mr. Moore, *and ſome others of the Commiſſioners of Trade, who had been moſt employed in it, herefore pleaded ſtill to have it paſſed with ſome amendments. But the independent Members, and the country gentlemen, having made ſelves more ripe for the debate, by the light the Merchants had given them, inſiſted ſtrenuouſly that it might be rejected. And* General hope, *in particular, took notice of the heavy loſs the nation had ſuſtained in King Charles the Second's time, by the partial and impoli- eaſure of an open trade with France, and the fatal encouragement* held out to them to improve their own woollen manufactures, *great detriment of the ſtaple manufacture of this kingdom. He adverted alſo to the Act of Parliament paſſed in the 30th year of that s reign; by the preamble of which it appeared, that it was the ſenſe of the then Houſe of Commons,* " THAT THE NATION AD, BY LONG EXPERIENCE, FOUND, THAT THE IMPORTING FRENCH WINES, BRANDY, LINEN, LT, AND PAPER, AND OTHER COMMODITIES OF THE GROWTH AND PRODUCT OF THE TERRI- ORIES OF FRANCE, HAD MUCH EXHAUSTED THE TREASURE OF ENGLAND, LESSENED THE VA- E OF THE NATIVE MANUFACTURES AND COMMODITIES THEREOF, AND CAUSED GREAT DETRI- NT TO THE KINGDOM IN GENERAL."

the Court Party, either unwilling to admit that this had been the ſenſe of former Parliaments, or that they had been to reſtrain commerce with France, upon ſuch weighty conſiderations, Mr. Bromley, *the Speaker, would have perſuaded uſe, that Mr.* Stanhope *had ſtated the point erroneouſly, and that no preamble to that extent exiſted. But Mr.* Stanhope *g to have that Act referred to, the Clerk was ordered to ſearch the books, and to read it, whereby it appeared, that the miſ- nt lay wholly on Mr.* Bromley's *ſide. Some Members upon this, having animadverted very ſeverely on the Speaker, the debate therefore put off, and the next day moſt of the members on both ſides were willing, that the other Merchants, who had pe- but had not been examined, ſhould be called in, to ſtate their reaſons againſt an open trade with France. Mr.* Torriano *ſpoke in of the Spaniſh trade, and made ſeveral very ſharp animadverſions on the 8th and 9th articles of this Treaty, and mentioned the and 11th as relating to the two former, in ſuch a manner as gave offence to ſome Court Members, particularly in theſe words:* ANCE HAS OVERREACHED YOU IN THE TREATY OF COMMERCE——IS THAT THE FRUIT OF UR BOASTED PEACE?" *Who thereupon moved, that the Houſe ſhould order him to be taken into cuſtody. But Mr.* Stan- *Mr.* Lechmere, *Sir* Peter King, *Mr.* Walpole, *and ſome others, pleaded in his behalf, and ſaid, that unleſs they allowed the ants full liberty to declare their ſentiments, it would be impoſſible for the Houſe to form a right judgment of this important affair; rticularly they inſiſted,* NO MAN OUGHT TO SUFFER, FOR STANDING UP FOR THE TRADE OF THE ION. *This, with a noble ſpirit that appeared in behalf of the Merchants, made the Courtiers drop their preſent reſentment: t a few of thoſe who had gone great lengths with the Court, and had even voted to bring in the Bill that was then in debate, to change their ſentiments, when they heard the ſolid arguments which the Merchants had advanced againſt it; and the greateſt f the Members being now willing to get as much light as poſſible in this matter, obtained leave for the other Merchants to declare opinions: and accordingly Mr.* Wyat *was permitted to ſpeak in behalf of the* Italian *trade, Mr.* Milner *for the* Portugal *trade, ther gentlemen for the Weavers.*

ben the Merchants were withdrawn, ſome papers were alſo laid before the Houſe; particularly a ſcheme of trade between England *and e in the year* 1674, *which put the matter beyond all debate. However, the Court-Party were willing to try the utmoſt, and hav- ade ſome amendments to the Bill, it was offered again to the Houſe by Sir* Robert Davers, *the next day, being the* 18th *of* June, *motion was made that it ſhould be engroſſed.* Arthur Moore, *who was generally believed to be the perſon chiefly employed in ng it, was now its ſole advocate, and laboured to talk the Houſe into believing it was a good one. But after this perſon had a great deal of time to little purpoſe, many of his arguments appearing even to his own party, to be ſtrained and precarious, Sir* Tho- Hanmer *ſtood up, and made a very honeſt and ingenuous ſpeech againſt it. That gentlemen among other things ſaid,* " *That before had examined the affair in queſtion to the bottom, he had given his vote for bringing in the Bill to make the* 8th *and* 9th *articles of e Treaty of Commerce effectual; but that having afterwards maturely weighed and conſidered the allegations of the Merchants, Tra- rs, and Manufacturers in their ſeveral Petitions and Repreſentations, he was perſuaded that the paſſing this Bill would be of great ejudice to the Woollen Manufactures of the kingdom, and to the home Diſtilleries, and conſequently increaſe the number of the poor, d ſo in the end affect the land. That while he had the honour to ſit in that Houſe, he never would be blindly led by any Miniſtry, t that the principles upon which he acted, were the intereſt of his country and the conviction of his judgment, and upon theſe two con- erations alone he was againſt the Bill." This ſpeech coming from one, who was known to have the beſt information, to be a lover e eſtabliſhed church, and a man of character, had ſo great an influence, that, happily for England,* THE BILL WAS RE- TED; *though ſome, who could ſay nothing in behalf of it, yet being under the controul of the Miniſtry, proceeded in their uſual e, and voted for it to the laſt.*

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